Y4. En2:S.hrg.99-440

S. Hrg. 99-440

TARR AND GRILES NOMINATIONS

mf 128 ORIGINAL
COMPLETED
181

HEARING

BEFORE THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

NINETY-NINTH CONGRESS

FIRST SESSION

ON THE

NOMINATION OF RALPH W. TARR TO BE SOLICITOR, DEPARTMENT OF THE INTERIOR, AND J. STEVEN GRILES TO BE ASSISTANT SECRETARY FOR LAND AND MINERALS MANAGEMENT, DEPARTMENT OF THE INTERIOR

DECEMBER 4, 1985

Printed for the use of the
Committee on Energy and Natural Resources

57-309 O
U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1986

COMMITTEE ON ENERGY AND NATURAL RESOURCES

JAMES A. McCLURE, Idaho, *Chairman*

MARK O. HATFIELD, Oregon
LOWELL P. WEICKER, Jr., Connecticut
PETE V. DOMENICI, New Mexico
MALCOLM WALLOP, Wyoming
JOHN W. WARNER, Virginia
FRANK H. MURKOWSKI, Alaska
DON NICKLES, Oklahoma
CHIC HECHT, Nevada
DANIEL J. EVANS, Washington

J. BENNETT JOHNSTON, Louisiana
DALE BUMPERS, Arkansas
WENDELL H. FORD, Kentucky
HOWARD M. METZENBAUM, Ohio
JOHN MELCHER, Montana
BILL BRADLEY, New Jersey
JEFF BINGAMAN, New Mexico
JOHN D. ROCKEFELLER IV, West Virginia

FRANK M. CUSHING, *Staff Director*
GARY G. ELLSWORTH, *Chief Counsel*
D. MICHAEL HARVEY, *Chief Counsel for the Minority*

CONTENTS

STATEMENTS

Page

Griles, J. Steven, nominee to be Assistant Secretary for Land and Minerals Management, Department of the Interior 17
McClure, Hon. James A., a U.S. Senator from the State of Idaho 1
Tarr, Ralph W., nominee to be Solicitor, Department of the Interior 4
Wallop, Hon. Malcolm, a U.S. Senator from the State of Wyoming 38
Warner, Hon. John W., a U.S. Senator from the State of Virginia 15
Wilson, Hon. Pete, a U.S. Senator from the State of California 2

APPENDIXES

Appendix I

Biographical and informational statements of:

Ralph W. Tarr 43
J. Steven Griles 64

Appendix II

Responses to additional committee questions from:

Ralph W. Tarr 90
J. Steven Griles 99

Appendix III

Additional material submitted for the record 162

TARR AND GRILES NOMINATIONS

WEDNESDAY, DECEMBER 4, 1985

U.S. Senate,
Committee on Energy and Natural Resources,
Washington, DC.

The committee met, pursuant to notice, at 9:35 a.m., in room SD-366, Dirksen Senate Office Building, Hon. James A. McClure, chairman, presiding.

Present: Senators McClure, Wallop, Nickles, Hecht, Bumpers, Ford, Metzenbaum, and Bingaman.

Also present: James P. Beirne, senior counsel; D. Michael Harvey, chief counsel for the minority; and Patricia J. Beneke, counsel for the minority.

OPENING STATEMENT OF HON. JAMES A. McCLURE, A U.S. SENATOR FROM THE STATE OF IDAHO

The Chairman. The committee will come to order.

Today the committee will receive testimony on two nominations for the Department of the Interior—Ralph W. Tarr to be Solicitor, and J. Steven Griles to be Assistant Secretary for Land and Minerals Management. As previously announced, the committee was to have received testimony with respect to the nomination of Gerald Ralph Riso to be Assistant Secretary for Policy, Budget and Administration for the Department of the Interior. Unfortunately, due to a death in his family, Mr. Riso is unable to appear before the committee today. I would like to express our deepest sympathy and condolences to Mr. Riso and announce that the committee will reschedule a hearing to consider his nomination in the very near future.

Our first nominee, Ralph W. Tarr, is currently Principal Deputy Assistant Attorney General, Office of Legal Counsel, U.S. Department of Justice. He has served the Department since September 1982 where he also was designated as Acting Assistant Attorney General in charge of the Office of Legal Counsel. Previously he practiced law in a private firm where he was elected a shareholder, director, and vice president, as well as a member of the firm's executive committee.

Our second nominee today is J. Steven Griles. Mr. Griles has served the administration at the Department of the Interior since 1981, where he was Deputy Director, Office of Surface Mining, Deputy Assistant Secretary, and currently Acting Assistant Secretary of Land and Minerals Management.

Prior to joining the Department of the Interior, Mr. Griles served the State of Virginia in its conservation and economic department.

At this time I would like to recognize our distinguished colleague from California, the junior Senator from California, Mr. Wilson, who will introduce Mr. Tarr.

STATEMENT OF HON. PETE WILSON, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

Senator WILSON. Thank you very much, Mr. Chairman. I am delighted to have the opportunity to introduce to you and to the committee Mr. Ralph Tarr who has, as you have indicated, been nominated by the President to serve as Solicitor for the Department of the Interior.

As you have noted, Mr. Chairman, Mr. Tarr possesses the credentials to bring a very high level of expertise to the position of Solicitor General. He has had a diverse legal background, combined with a distinguished record of public service.

Mr. Tarr joined the Reagan administration in 1982, as you have noted, in the role of Principal Deputy Assistant Attorney General in the Office of Legal Counsel for the U.S. Department of Justice. His most recent posting has been with the Office of the Assistant Attorney General, where he was Acting Assistant Attorney General from November 1984 through November of this year. He currently serves as Deputy in that office.

Prior to entering Government service on the Federal level, Mr. Tarr served as a law clerk to the Honorable George Brown, presiding justice of the California Court of Appeals in the Fifth Appellate District. He became an associate with the law firm of Baker, Manock & Jensen in Fresno, CA, in 1977. And in 1981, as you have indicated, was elected shareholder, director, and vice president as well as a member of the firm's executive committee. His emphasis while there at Manock & Jensen was on business and personal injury litigation.

Mr. Tarr was born and raised in Bakersfield, CA. He graduated from Dartmouth College magna cum laude, Phi Beta Kappa, with a B.A. degree in Government.

Following graduation, he returned to California and served for nearly 3 years as a staff assistant to then Gov. Ronald Reagan. He also earned a master's degree in public administration from California State University in Sacramento in 1973.

Mr. Tarr received his doctor juris degree from Hastings College of Law at the University of California in San Francisco. While at Hastings, he was recognized for his high scholarship by membership in the Order of the Coif and the Thurston Society and served on the editorial review board of the Hastings Law Journal.

During 1976 Mr. Tarr served as an extern for the Honorable William P. Clark, Jr., then associate justice of the California Supreme Court.

Ralph Tarr's legal qualifications and his wide range of experience make him ideally suited for the position of Solicitor for the Department of the Interior. Throughout his career he has demonstrated a high level of skill, dedication, and loyalty.

He will bring to this office not only a thorough understanding of the law, but equally important, a working knowledge of how to apply that law in practice.

Mr. Chairman, I will take no more of the committee's time. I would simply conclude by urging the committee to accept the nomination and pass it to the floor of the Senate, where we may have an early vote for confirmation.

Thank you.

The CHAIRMAN. Thank you very much, Senator Wilson. We very much appreciate your testimony, as I'm sure the nominee does as well.

Are there any questions of Senator Wilson?

[No response.]

The CHAIRMAN. I thank you very much.

Mr. Tarr, you may proceed.

Senator WILSON. Mr. Chairman, I would point out that Mr. Tarr comes armed this morning with great moral support from his lovely wife whom I think we should introduce.

The CHAIRMAN. Surely. We are very, very happy to have you with us, Linda.

Senator WILSON. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Tarr, the rules of the committee which apply to all nominees require that they be sworn in connection with their testimony. Will you please rise and raise your right hand?

[Whereupon, Ralph W. Tarr was duly sworn by the chairman.]

The CHAIRMAN. Please be seated.

Before you begin your statement, there are four questions which we ask to all witnesses who are nominated to positions requiring confirmation. I would like to ask these questions of you.

Will you be available to appear before this committee and other congressional committees to represent departmental positions and respond to issues of concern to the Congress?

Mr. TARR. I will.

The CHAIRMAN. Your informational statement has been submitted to the committee. However, it is required that this statement be made public unless the committee decides that special circumstances justify an exception.

Do you have any objection to the publication of your informational statement?

Mr. TARR. No objection.

The CHAIRMAN. Are you aware of any personal holdings, investments, or interests that could constitute a conflict of interest or create the appearance of such a conflict, should you be confirmed and assume the office to which you have been nominated by the President.

Mr. TARR. I would point out, Mr. Chairman, that on my questionnaire I have noted, and the Department of the Interior's ethics official has noted, the ownership of some shares in Diamond Shamrock Corp., which is in the type of business that is prohibited for holdings of a person who acts as Solicitor. And I pledge to the committee that, if confirmed, I will divest myself of the Diamond Shamrock Corp. stock.

The CHAIRMAN. Are you involved in or do you have any assets held in blind trusts?

Mr. TARR. No, I don't.

The CHAIRMAN. You may proceed with your statement.

STATEMENT OF RALPH W. TARR, NOMINEE TO BE SOLICITOR, DEPARTMENT OF THE INTERIOR

Mr. TARR. Thank you.

Mr. Chairman, members of the committee, I'm honored to appear before you as President Reagan's nominee to be Solicitor, Department of the Interior.

I would first like to thank Senator Wilson very much for his kind words on my behalf and for taking the time to be here this morning to introduce me to you.

If I might also take one moment to introduce, by name, my wife, who has been kind enough as usual to be my moral supporter, Dr. Linda Tarr, sitting in the front row.

The CHAIRMAN. We're very, very happy to have you with us.

Mr. TARR. I would be happy to submit my written statement for the record, Mr. Chairman.

The CHAIRMAN. It will be placed in the record.

Mr. TARR. Thank you.

If I might just add the high points of the statement that I would like to make clear to the committee. I appreciate the significance of the Office of Solicitor and the importance of the legal issues that I will be asked to provide advice to the Department upon.

In that regard, I am also eager to have the committee be aware that I will do all that I can to assist Secretary Hodel in the furtherance of his policy of consensus, consultation and accord on the broad policy issues that face the Department of the Interior.

I also am quite knowledgeable about the need for a close working relationship with the Congress and I look forward, if confirmed, to working with all of you on the committee and with other Members of Congress on what are some very difficult issues.

Finally, I would just point out that, having worked as a trial attorney, I understand that litigation is not the final answer to everything, and that it is best to take whatever steps we can to try to resolve issues without the need for litigation, and even if litigation ensues, to try to continue efforts at settlement in hopes that at least the issues are confined to some degree and some time and effort is saved. But I think that effort at settlement and those efforts at negotiation are important to the Secretary's efforts to try to reach a national consensus in this area.

Once again, I am pleased to appear before you today and would be happy to answer any questions.

The CHAIRMAN. Thank you very much, Mr. Tarr.

[The prepared statement of Mr. Tarr follows:]

STATEMENT OF RALPH W. TARR, NOMINEE TO BE SOLICITOR, DEPARTMENT OF THE INTERIOR
DECEMBER 4, 1985

Mr. Chairman and Members of the Committee, I am honored to appear before you as President Reagan's nominee to be Solicitor, Department of the Interior.

In my view, the position of Solicitor is one of the most significant, challenging, and interesting positions in the Executive Branch. It is the duty of the Solicitor, as the chief legal adviser to the Department of the Interior, to provide counsel to the Secretary and the rest of the Department on how various legal issues affect the Department's management of this Nation's land, mineral, wildlife, and water resources. These matters directly affect the daily lives of millions of Americans, particularly in my home region, the West, and are of tremendous importance to all Americans. As you well know, these matters therefore engender considerable public debate, and the legal issues associated with them are often complex or difficult.

At the same time, these issues are fascinating and close to home. During my childhood in the San Joaquin Valley of California, which included frequent family visits to nearby Yosemite, Sequoia and Kings Canyon National Parks, fishing trips with my father, and family automobile trips throughout California and the United States, I developed a strong love of the outdoors and appreciation for this Nation's wildlife and natural resources. Those interests have continued to guide my life choices from selecting the beautiful natural setting of Dartmouth College for my undergraduate education, to returning to the Central Valley of California after law school, to last week's Thanksgiving holiday spent in the Maryland countryside near Frederick, including a visit to Harper's Ferry National Historic Park and views of the Shenandoah and Potomac Rivers involving three different states. These experiences have been and continue to be an integral part of my life. Accordingly, I have a strong belief that we must conserve for future generations the opportunity for the same such experiences. At the same time, we must provide future generations with the same kind of opportunity for the quality of life that we enjoy today and for economic achievement that has characterized the history of this Nation.

I believe that my educational background and experience have prepared me well to assume the duties of Solicitor. Although those matters are chronicled in my response to the Committee's questionnaire, I would generally refer to my formal graduate level education in public administration and law, and my broad experience in government and the private sector and in a legal and a non-legal capacity. It has been a particular privilege, and an education, to serve in both the California State Government, working closely with then Governor Ronald Reagan, and more recently in the United States government. With regard to the latter, I have had the honor of serving since 1982 as Principal Deputy Assistant Attorney General in the Office of Legal Counsel, Department of Justice, including a year as Acting Assistant Attorney General in charge of that Office under two different Attorneys General. This experience has been invaluable because of its unique perspective permitting exposure to the entirety of the Executive Branch and its interactions with the other two branches of the government. Thus, I have acquired not only substantive legal background involving issues affecting the federal government as a whole and the various agencies individually, but also what I hope is a broad understanding of the mechanics of the federal government.

In this regard, I am keenly aware that more than just cooperation within the Department of the Interior and the Executive Branch is required for successful administration of the Department. A close working relationship with Congress is also necessary. In carrying out the duties of Solicitor, if confirmed, I look forward to working closely with the Members of this Committee and other Members of Congress. I believe that such cooperation, effected with mutual appreciation for the respective functions of the two branches, is essential to dealing successfully with the issues involving America's natural resources.

Even broader cooperation is necessary, however, to achieve Secretary Hodel's goal of a national consensus on the broad policy matters within the jurisdiction of the Department. At his own confirmation hearing before this Committee, Secretary Hodel announced that his administration of the Department of the Interior would be characterized by a policy of consultation, consensus, and accord with regard to the issues he would face in carrying out his responsibilities as Secretary. As Solicitor I would seek to assist the Secretary in implementing this policy.

This policy is consistent with my basic approach to analysis of legal issues: to consider carefully the various conflicting legal positions before reaching a conclusion. Hearing and evaluating the best arguments that can be made with regard to any legal issue helps to bring into sharper focus the legal principles that will assist in arriving at an independent judgment on that particular issue.

I hasten to add that in my view such a process should occur, if possible, before litigation is filed. My five years in private practice as a trial lawyer convinced me that proper service to the client requires vigorous attempts to resolve disputes short of litigation. Litigation is costly, time consuming, and often not satisfying even to the party who wins a favorable judicial determination. Of course, in some cases litigation is unavoidable. In those cases, efforts at negotiation should still be made after the litigation is filed. Even if unsuccessful in resolving the entire case, such negotiations often result in narrowing of the issues to be litigated.

I am eager to assume the responsibilities of Solicitor and to assist the President, Secretary Hodel, and the Department of the Interior in executing the laws that Congress has placed within the responsibility of the Department. I can assure this Committee that, if confirmed, I will enthusiastically and energetically carry out to the best of my abilities the duties of Solicitor.

I am pleased to have the opportunity to appear before the Members of this Committee today, and I will be happy to respond to any of your questions.

The Chairman. Senator Ford.

Senator Ford. Mr. Chairman, I was intrigued by Mr. Tarr's statement that he would prefer to work out a case, rather than go to court. It depends on if you win or lose before you take it to court, I imagine.

Give me a hypothetical case of what you mean about working something out prior to taking it to court. You say a lawsuit is not the best way. How do you work things out? That sounds like a deal to me, and I don't think you meant it that way.

Mr. Tarr. Well, I don't mean that at all, Senator. As an attorney, my job is to get the best results I can for my client. There's no question about it. And there are times when what the other side is willing to agree to is simply not sufficient to reach a settlement that you would recommend to your client that he enter into.

But the period of time that it takes to conduct a lawsuit and the amount of effort that is generated in going through all the machinations of litigation are oftentimes counterproductive, and what my statement goes to is that I would very much expect to try to sit down with the various parties to a dispute, hopefully in advance of the time that a lawsuit is filed, and discuss with them what their various wishes are; what their positions are; what they seek; and see if there is not some area of understanding that can be reached so that we can avoid what has just been an enormous boom in litigation.

Senator Ford. One thing, particularly in surface mining cases, lawyers are paid fees, and that is a percentage. How would that stack up when you get into trying to work out something with a local lawyer based on a surface mining problem or mineral rights, or whatever that might be.

Mr. Tarr. I'm not sure that I fully understand what the Senator is referring to. I must confess I am not particularly knowledgeable about how surface mining cases are handled by attorneys in private practice.

Senator Ford. Well, doesn't the Federal Government in those cases pay certain fees based on lawsuits presentations?

Mr. Tarr. I'm sorry; I'm not familiar with the law in that area.

Senator Ford. Maybe I'm not being very clear, but what I'm trying to—and I think the chairman is an attorney, he might tell it—when they file these lawsuits, aren't the attorneys given a fee for filing or participating in a lawsuit?

The Chairman. They may be given a fee by a private party, but that would be a matter——

Senator Ford. The Federal Government pays the attorneys' fees is what I'm getting to, or what I've been trying to get to.

There was a $500,000 fee in a recent surface mining case.

Mr. Tarr. I'm not familiar with that.

Senator Ford. You better get up to speed on it. Better get up to speed on it.

The Chairman. A judge can award costs, and under appropriate cases I assume a judge might award costs that would include attorneys' fees, but there's no general practice that I'm aware of.

Senator Ford. As part of the lawsuit settlement, fees to the attorneys. It's something that bothers some of us a little bit.

Mr. **Tarr**. Well, my understanding on attorneys' fees versus the Federal Government is that private counsel are not entitled to them unless there is some statutory provision for them, and I would certainly want to become knowledgeable about any statutory provision there would be for the award of fees. And I'd be happy to do that.

Senator **Ford**. I'm not a lawyer, and I get that out front. My dad told me a little knowledge of the law is dangerous; get you a good lawyer and stay with him. So I try to follow that practice.

But now let me ask you this, since you prefer to settle cases out of court. Can Interior agree to a settlement that is not consistent with the applicable law?

Mr. **Tarr**. Senator, I think I would be hard pressed to as Solicitor to recommend to my client that he agree to a settlement that I felt in my best professional judgment was not consistent with the law—as a general statement.

Now, I in any particular case would certainly have to look at what we meant by "it wasn't consistent with the law." But in my view——

Senator **Ford**. Sometimes two lawyers interpret the law different. Your interpretation of the law and his might be different as it applies.

Mr. **Tarr**. Where there's a genuine dispute about what the law is, and the settlement is designed to reach a determination of that, that may be another matter. However, I'm quite concerned about executive branch agencies settling cases on terms that are beyond their authority, for example.

I think that we have seen some problems with that in the past, and I certainly would not be eager to have the Department do it.

Senator Ford. Mr. Tarr, I'm going to get to a personal feeling now. I have an intern program in my office where the political science classes of our two major universities select interns who work in my local office. And the local office will decide on which one is best, and that one will have a semester with me here in Washington.

Several of those have been stayed on and have been excellent. The No. 2 in the University of Kentucky graduating class law school is still here. One of the outstanding law students there is still up here. Some of those who were in governmental area of education are still here, and I'm pleased that they are.

I think it generates some interest and a different view of Government when they work a little bit. So that program, I am very sensitive about, and very pleased with it so far.

After a new Solicitor started, as I understand it, in the Department in 1981, several entry level attorneys employed as part of the Department's honors program were removed—or we could say fired. I understand that one of the repercussions of this action was to make top law students reluctant—and I underscore reluctant—to consider Interior as a place to work.

I further understand that many thought the action might have been politically motivated.

First, does the Solicitor's Office currently have an honors program, or do you know?

Mr. TARR. Senator, I do not know that. The Department of Justice, which I'm more familiar with, does hire recent law graduates in an honors program and that has been a very fertile source of quality legal talent.

Senator FORD. What do you think of the hiring and firing practices as it relates to the Solicitor's Office?

Mr. TARR. In general terms, I don't know how to answer the Senator's question. My understanding is there is a centralized system that is in place, consistent with the civil service requirements as far as hiring, and I certainly, if the Senator has some particular concern about that, would be more than happy to look at that, if confirmed, and to make any determination about its consistency with law and so forth.

Senator FORD. I would appreciate it if you would let me and the committee know.

Do you anticipate undertaking any major staffing changes at the Solicitor's Office?

Mr. TARR. Senator, in all due humility, I have not really faced those kinds of questions yet.

Senator FORD. Well, you're going to have to.

Mr. TARR. If confirmed, clearly personnel has to be one of the first items on anybody's agenda in a new position, and it will be on mine.

Senator FORD. I thought that would have already been on your agenda.

Mr. TARR. It will be very high up as soon as this committee and the Senate have confirmed me, hopefully. I will be looking at this question.

Senator FORD. Well, I don't think you have any doubts but what you're going to be approved. Maybe you've already looked at that.

Mr. TARR. I am generally familiar with the office structure, Senator, and nothing readily comes to mind as a major change in structure. I, of course, would want to go in and look very carefully at the office and make sure that it is something that is manageable and if there are some changes that would help with that, I would certainly want to consider them.

Senator FORD. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Senator Bingaman.

Senator BINGAMAN. Thank you, Mr. Chairman.

Let me just ask a couple of general questions if I could, Mr. Tarr.

To what extent do you see this new position you've been nominated for as a policymaking position?

Mr. TARR. That may well vary, depending on practice. Essentially as I see the position, it is to give my best professional legal judgment on the various issues that the Secretary requests assistance with or which I identify as Solicitor as legal problems to him.

And it would be my approach to the office to give him those judgments in a manner that does not to tend to foreclose his policy choices simply because someone in my office has made a determination that they don't like the policy, so they're going to see to it that it's not legal.

I think the role of the Solicitor is to advise the Secretary on his range of choices. Certainly the Solicitor operates in the context of a policy environment so that that will often, I'm sure, dictate the agenda of items that are considered and may well also in some degree determine the kinds of things that we look at.

Senator **Bingaman**. To what extent did Secretary Hodel participate in your selection for the position?

Mr. **Tarr**. I am not thoroughly knowledgeable on that, as to how precisely that was determined, but I did interview with Secretary Hodel and it's my understanding that it was his recommendation to the President that is responsible for my being here today.

Senator **Bingaman**. Let me ask about one area of litigation where there was a lot of attention to in my home State and where I guess you will be devoting a lot of time on in the next few years. That is the litigation over jurisidictional questions on Indian land and the extent to which States can exert their jurisdiction to impose State law on Indian land. Also, the extent to which Indian tribes and pueblos can tax and take action there.

That whole area is a very fertile field for litigation, has been for several years and promises to be indefinitely.

Do you think it's an appropriate thing for the courts to be deciding and for your office to be deciding, or do you think that this is really an area that Congress should take a more proactive role in trying to set some guidelines for what the jurisdictional decision should be?

Mr. **Tarr**. I must say, Senator, in general terms I'm not in a position to respond to that question with my current level of knowledge. I am generally familiar that the issue you raise is particularly being played out in the Indian gambling area, if I may refer to it in that regard, and it's my understanding that there are some very difficult issues there that Congress may well be in a position to have to decide.

Senator **Bingaman**. OK. That's all I have, Mr. Chairman.

The **Chairman**. Thank you.

Senator Metzenbaum.

Senator **Metzenbaum**. Mr. Tarr, as I understand it, did you represent some of the people in the Westlands Water District while you were in private practice?

Mr. **Tarr**. Yes, Senator; I did.

Senator **Metzenbaum**. Perhaps you've addressed yourself to this issue before I got here, but tell me the circumstances, who they were, and what involvement that might have vis a vis your own responsibilities in this position.

Mr. **Tarr**. Senator, essentially my representation in the Westlands was of the California Westside Farmers, an association of landowners in the Westlands Water District, essentially put together in approximately 1976 or 1977 for the purpose of participating in the *National Land for People* v. *Andrus* suit, which the Senator probably recalls had to do with the question of whether or not the Department of the Interior was required to issue rules and regulations on reclamation projects.

That entity went out of existence, I believe, in about 1979 or so. My participation on their behalf was in that case through the appellate courts—I handled some of the appellate work through the circuit court here and at the Supreme Court.

The Chairman. Would the Senator yield for just a moment on that question?

My understanding of the Westside Farmers Group was it wasn't exclusively Westland's patrons; am I correct in that?

Mr. Tarr. If we are—if we get into the question of whether they—there were some from the Westlands and some from the West Plains district, but essentially they were recipients on the west side of the reclamation project.

Senator Metzenbaum. And what's the status of that case at the moment?

Mr. Tarr. That case, as far as I know, is now totally closed and over with. The issues of the regulations, I believe, although I'm not intimately familiar with the 1982 reform act, have essentially been dealt with by Congress.

There is one other lawsuit that I was involved with on behalf of an individual farmer in that area. That was a case entitled *Pilibos* v. *Andrus*. That case, as I understand it, is still pending some 6 years or 7 years later. It's an individual landowner who was concerned about the moratorium that was placed on him by the Secretary of the Interior at the time, pending a determination of these issues about issuing regulations, and he was concerned about his 10-year contract running while the moratorium was on.

And, Senator, if I might follow up—excuse me—on your original question, I would consider it something that I would not participate in as Solicitor in that particular case that is now pending.

Senator Metzenbaum. So the case is pending, and is there a proposed settlement now being talked about?

Mr. Tarr. I am not familiar at all with the status of that case, Senator. I have not, since I've been with the Government, had anything to do with it and I would not feel it appropriate for me to do so.

Senator Metzenbaum. But if there—but you will recuse yourself as far as any involvement while you're at the Department?

Mr. Tarr. In that case—in *Pilibos* v. *Andrus*, indeed. No question.

The Chairman. Would the Senator yield? I think there may be a little confusion here. There are two different cases to which you made reference. One was the Westside Farmers Group and the other was the individual case which is still pending.

I wouldn't want there to be any confusion as to the answer to the question.

Senator Metzenbaum. Is the first case, the one having to do with the west—what do you call it—Westside Farmers?

Mr. Tarr. Right.

Senator Metzenbaum. The Westside Farmers. Is that case still pending?

Mr. Tarr. No, Senator. That is not pending any longer.

Senator Metzenbaum. What happened to that case?

Mr. Tarr. That case essentially was played out through the courts. The Secretary, as you know, issued rules and regulations to govern reclamation projects, and then whatever issues were still remaining with regard to that lawsuit were, as I understand it, handled in the 1982 reform act.

So that case is no longer an open case.

Senator **Metzenbaum**. But the individual case is still pending?

Mr. **Tarr**. The individual case is still pending.

Senator **Metzenbaum**. Have you been involved in—at what point did you stop being involved in that case?

Mr. **Tarr**. In the one that's still open?

Senator **Metzenbaum**. The individual case.

Mr. **Tarr**. I think the last—well, the case was filed in, I believe, March 1978 and essentially the court stayed the action at some point, probably early 1979. And other than watching to see that nothing was going awry so that my professional responsibilities were not satisfied, I haven't had any active involvement in that case since about 1979.

I ceased all concern about it in 1982 when I left my law firm.

Senator **Metzenbaum**. You've been with the Justice Department how long?

Mr. **Tarr**. Approximately 3½ years.

[Pause.]

Senator **Metzenbaum**. I have no further questions.

The **Chairman**. Thank you very much. There may be other questions to submit in writing. I would ask that each member of the committee who has such questions to submit have them to us by the close of business today so that we may get the responses to the record and be in a position then to act upon the nomination.

And I would hope you would get the answers to us quickly when they are submitted to you.

Mr. **Tarr**. I will indeed, Senator.

The **Chairman**. Thank you very much, Mr. Tarr. Appreciate your testimony this morning.

Mr. **Tarr**. Thank you.

The **Chairman**. The distinguished senior Senator from Virginia has expressed a desire to be here to introduce his constituent, Mr. Griles, before this committee this morning. But he's chairing a hearing before the Armed Services Committee and can't leave at this moment.

He does have a statement introducing Mr. Griles, and that statement will be made a part of the record at this point.

[The prepared statement of Senator Warner follows:]

STATEMENT OF HON. JOHN W. WARNER, A U.S. SENATOR FROM THE STATE OF VIRGINIA

Mr. Chairman, I am pleased to introduce to the Senate Energy Committee this morning J. Steven Griles, whom the President has nominated to be Assistant Secretary of Interior for Land and Minerals Management.

I have known Steve since 1979 when I began my service in the Senate.

He is an outstanding Virginian who brings to the position a wealth of experience in both State and Federal government.

After graduating from the University of Richmond, Steve began his career in Virginia's Department of Conservation and Economic Development where he supervised the successful implementation of 14 major State programs.

In 1981 with my strong support, Steve came to Washington where he served as Deputy Director of the Office of Surface Mining for two years.

In 1983 he was promoted to Deputy Assistant Secretary of Interior for Land and Minerals Management.

Steve has been Acting Assistant Secretary for Land and Minerals Management for the past year, the position for which he has been nominated by the President.

Steve has a large and wonderful family, many of whom are with him today.

I welcome to the Committee his wife Casey, daughter Kimberly, sons Timothy and Matthew, mother Elsie and brother Dwayne.

His daughter Megan who celebrated her first birthday last month is at home this morning.

Mr. Chairman, I strongly commend to the Committee the nomination of Steve Griles, a man of unquestioned integrity, superb judgment, and exceptional knowledge.

I know he will do a good job for the American people, and I urge the Committee to recommend his confirmation.

The CHAIRMAN. Mr. Griles, the rules of the committee that apply to all nominees require that they be sworn in connection with their testimony.

If you will please raise your right hand.

[Whereupon, J. Steven Griles was duly sworn by the chairman.]

The CHAIRMAN. Please be seated.

As you know, we ask each of the witnesses who appear before us for confirmation to answer four questions.

Will you be available to appear before this committee and other congressional committees to represent departmental positions and respond to issues of concern to the Congress?

Mr. GRILES. I will.

The CHAIRMAN. Mr. Griles, your informational statement has been submitted to the committee. However, it is required that this statement be made public unless the committee decides that special circumstances justify an exception.

Do you have any objection to the publication of your informational statement?

Mr. GRILES. I do not.

The CHAIRMAN. Are you aware of any personal holdings, investments or interests that could constitute a conflict of interest or create the appearance of such a conflict, should you be confirmed and assume the office to which you have been nominated by the President?

Mr. GRILES. I'm not aware of any.

The CHAIRMAN. Are you involved in or do you have any assets held in blind trusts?

Mr. GRILES. I do not.

The CHAIRMAN. Before asking you to proceed with your statement, I would like to recognize the fact that you have family here. You might like to introduce those members of your family who are present this morning, Mr. Griles.

Mr. GRILES. Thank you, Senator. I have, first, my wife on the end; and my son Matthew; my son Timothy; daughter Kimberly; my mother; and my brother Duane.

The CHAIRMAN. It looks to me like you're adequately supported this morning.

Mr. GRILES. Well, we left one at home. In case we need any reserves, we'll call her in.

The CHAIRMAN. Mr. Griles, you may proceed with your statement at this point.

STATEMENT OF J. STEVEN GRILES, NOMINEE TO BE ASSISTANT SECRETARY FOR LAND AND MINERALS MANAGEMENT, DEPARTMENT OF THE INTERIOR

Mr. **Griles**. Mr. Chairman, it is indeed an honor to be with you and the other members this morning to appear today as the President's nominee for the Assistant Secretary of the Interior for Land and Minerals Management.

As you may be aware, this Assistant Secretary's office is responsible for the oversight responsibilities of the Bureau of Land Management, Minerals Management Service, and the Office of Surface Mining.

Mr. Chairman, I'm not going to read my entire statement. I'd like to submit it for the record, but there are a couple of things——

The **Chairman**. It will be placed in the record.

Mr. **Griles**. Thank you.

There are a couple of things I would like to highlight for you. One is that I am committed to listening to all the concerns of the various affected groups at the Assistant Secretary's office and the Bureaus that I have responsibility for, and to seek advice from the experts, and then to balance those factors in making recommendations and reaching decisions which will result in, I believe, workable and hopefully long-lasting solutions to the many resource management problems that we do face.

I've had the opportunity, Senator, to work with this committee on a number of occasions in the recent past. I've learned a great deal about the specific programs of the Department, but as I say, most importantly, I've learned the value of listening before making recommendations and reaching decisions that protect and further the interests of the public.

Senator, listening to all viewpoints helps assure that I receive the best possible advice and increases the prospects for finding workable solutions. Consensus is important in creating long-term stability, and consensus in the Interior programs.

I realize that consensus doesn't mean that all groups and all individuals will agree on all points, but it is a goal we must constantly seek to achieve.

Secretary Hodel has defined my mission as one of seeking to find common ground in order to resolve conflicts so that we can more effectively implement the programs authorized by Congress.

In my statement, Mr. Chairman, I lay out some of the goals the President gave the Secretary when he was nominated to be the Secretary of the Interior in February.

I also have worked with the Secretary and discussed with him some of the objectives that he has asked me to implement in achieving those goals. And that is to protect the natural, cultural, historic, and wilderness resources, to pursue conservation—and by that I mean the wise use of Federal energy and minerals and renewable resources found on our public lands under the principles of multiple use and sustained yield; and to increase the public's awareness of the public lands and increase the public's role in the contribution they make in protecting their public resources.

There are several other objectives I've listed, Mr. Chairman, in my statement, but in closing I think I'd like to restate how strongly

I believe the need to listen to all points of view and to receive the best possible advice if we are to find those workable, long-term solutions that I think you and others of the committee seek.

Consensus is a primary goal that we must strive to achieve.

Mr. Chairman, my entire professional career has been dedicated to public service. The opportunity to be here and to serve, if confirmed, as Assistant Secretary for Land and Minerals Management, is exciting. And, if confirmed, I look forward to working closely with Congress, the members of this committee and the public to carry out those programs that have been established by Congress to further the public interest.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Griles follows:]

J. STEVEN GRILES
STATEMENT BEFORE THE SENATE COMMITTEE ON
ENERGY AND NATURAL RESOURCES

December 4, 1985

Mr. Chairman and Members of the Committee: My name is Steve Griles, and I am honored to appear before you today as President Reagan's nominee for the position of Assistant Secretary of the Interior for Land and Minerals Management.

As you may be aware, the Office of the Assistant Secretary for Land and Minerals Management has oversight responsibility for the Bureau of Land Management, the Minerals Management Service, and the Office of Surface Mining Reclamation and Enforcement. The programs of these Bureaus are extremely important to the Nation and some of the most challenging in the Department of the Interior. The position of Assistant Secretary for Land and Minerals Management requires a strong management background and the commitment to listen to the concerns of the various affected groups, and the advice of experts, and then to balance those factors in making recommendations and reaching decisions which result in workable long-lasting solutions to the many resource management issues that face us today.

Currently, I serve as the Deputy Assistant Secretary for Land and Minerals Management with primary responsibility for the Department's onshore and offshore energy and minerals programs. In this capacity, as well as with my previous position in the Department of the Interior and prior to that with the Virginia Department of Conservation and Economic Development, I have come to appreciate fully that decisions relating to the Nation's lands and minerals management issues are complex. There are no easy answers. Since serving at the Department of the Interior I have had the opportunity to work with this Committee on many of these difficult issues as well as with numerous constituent groups, government officials at various levels, and the public. I have learned a great deal about specific programs, but most importantly I have learned the value of listening before making recommendations and reaching decisions that protect and further the interest of the public.

Listening to all points of view helps assure that I receive the best possible advice and increases the prospects for finding workable solutions. Public involvement is crucial for developing consensus. Consensus is important to creating long-term stability and consistency in Interior Department programs. I recognize that consensus does not mean all groups or individuals will agree on all points, but it is a goal we must constantly strive to achieve. Secretary Hodel has defined my mission as one of seeking to find common ground in order to resolve conflicts so that we can more effectively implement the programs authorized by Congress.

If confirmed, I will strive to implement, within the area of responsibilities of the Assistant Secretary for Land and Minerals Management, goals established by the President for the Department of the Interior. These goals include:

- To conserve the Nation's national parks, wilderness, and wildlife resources.
- To enhance America's ability to meet our energy and mineral needs with domestic resources.

- To increase the supply of quality water.
- To improve the Federal Government's relationship with State and local governments.
- To develop the economic and social resources of American Indians, Alaska Natives, and the people of the U.S. Territories.

I am committed to these goals and, based on discussions with Secretary Hodel, have identified several principles which are designed to guide my future actions and decisions. These are:

- Implementing statutory mandates to assure Congressional intent is met.
- Exercising wise stewardship under the concept of multiple-use and sustained yield.
- Seeking views of States, affected interest groups, and the Congress in formulating policy and in decisionmaking.
- Involving the States more and seeking to have them assume a greater partnership responsibility in designing and administering programs that affect them.

These principles will be applied in pursuing several fundamental objectives which Secretary Hodel asked me to develop for the programs under the Assistant Secretary for Land and Minerals Management.

These objectives are:

- To protect the natural, cultural, historic, and wilderness resources while providing opportunities for recreational and educational uses.
- To pursue the conservation of Federal energy and mineral resources and renewable resources found on the public lands under the principles of multiple use and in an environmentally safe manner.
- To increase public awareness of the public lands and increase the public's role and the contribution they make to protecting their public resources.
- To pursue timely restoration of unreclaimed lands to the full extent authorized by law, and if not restored, to vigorously utilize the authorities available to the Secretary to have such lands restored.
- To maintain constant vigilence in carrying out our fiduciary responsibilities to collect, account, and disburse public land revenues.
- To focus on the sensitive constituency issues that affect Alaska Native and State selections.
- To increase the productivity and morale of our work force, and to find better and more efficient ways to accomplish our jobs.

In closing, Mr. Chairman, I wish again to restate how strongly I believe in the need to listen to all points of view and to receive the best possible advice if we are to find workable solutions to the complex issues that face the Department today. Public involvement is crucial in that process. Consensus is one of my primary goals and I will direct my efforts to that end.

Mr. Chairman, my entire professional career has been dedicated to public service. The opportunity to serve as the Assistant Secretary for Land and Minerals Management is exciting and, if confirmed, I look forward to working closely with you, Congress, and the public to develop and carry out the programs established by Congress in furthering the public interest.

The **Chairman**. Thank you.

Senator Ford.

Senator **Ford**. Mr. Chairman, I'm going to yield for the time being.

The **Chairman**. All right.

Senator Nickles.

Senator **Nickles**. Thank you, Mr. Chairman.

Mr. Griles, welcome to the committee. I'm sure you'll be before us many times again.

A couple of questions, more parochial in nature than anything else. As I'm sure you are probably aware, the OSM has basically taken over management of reclamation in the State of Oklahoma and I also believe—what, the State of Tennessee?

Mr. **Griles**. That's correct.

Senator **Nickles**. The State of Oklahoma—and I concur with this—has very much desired to regain control of management over the coal mines.

Can you bring me up to date on what the progress is and hopefully to where the State would be regaining control in management supervision of the mines?

Mr. **Griles**. Senator, my understanding of where the State of Oklahoma and OSM are is that OSM has made first steps to return primacy to the State of Oklahoma on a phased basis. Working on a case-by-case basis, it is the Acting Director of OSM's position, as I understand it, to try to assure that the State has the appropriate personnel, technical expertise, and the ability to assume that responsibility that Congress, when it passed the Surface Mining Act of 1977, intended to be implemented.

And it's my hope that over the next year, that that will come to fruition and the State will have the fullest authority to administer the Surface Mining Act, and OSM will assume an oversight role of assuring that the State is implementing that Act as Congress intended.

Senator **Nickles**. That oversight role, then, would be the same that you exercise over all States?

Mr. **Griles**. That's correct, sir.

Senator **Nickles**. Do you have a timetable when that might be able to take place?

Mr. **Griles**. Senator, I do not have a timetable. I think the Acting Director of OSM and the State have worked out a tentative timetable among themselves as to how they think they can move forward: But as I understand it, there's going to be a step-by-step approach as they move forward, to be assured that in fact all parties agree that the right personnel—the right technical expertise—there to assure the State can implement that act.

Senator **Nickles**. Could you supply our office with possibly a timetable or what they've agreed to? I'd like to expedite that procedure and at least would like to be brought up to date on where it stands.

We've had some hearings, incidentally, on this issue in the State of Oklahoma. And maybe I'll ask you another question on that line, and this wouldn't apply just to Oklahoma, but to all. And that would be as far as enforcement concern, we had a lot of complaints from a lot of—almost all of our operators—that a lot of enforcement that OSM was making, much of it was misdirected and they said much of it was more directed toward harassment than it was enforcement; that is, some very, very punitive fines in the several thousands of dollars for incidents that were very trivial—a sign needed to be moved 100 yards or needed to be elevated or needed whatever, and we're looking at fines of up to $22,000 or something.

Again, I happen to be a strong believer in reclamation, but I would also like some common sense and some working cooperation, I guess, with individuals involved to make sure that our efforts are toward reclamation and not toward trying to sock it to various operators.

Would you care to comment on that?

Mr. Griles. Senator, the concerns you've expressed have in the past been expressed by others. In the past, when OSM OS did have direct responsibility for enforcement. It was overzealous in that approach.

I believe, Senator, that the inspectors OSM has today understand that they should enforce the law; that the regulations that caused the penalties to be of the nature you're speaking of—$22,500—are based, in fact, to some degree in law. I believe the law says that $750 a day, up to 30 days, and if you multiply that, it comes out $22,500.

So the law mandates that when an operator doesn't comply with an order and then he's issued a cessation order, that is an automatic penalty, and it can increase to $22,500 in 30 days.

Now, there are other penalties that OSM has in its rules. And the Secretary identified OSM as one of the two primary concerns he had when he assumed his office in February. And in order to address some of those concerns, some which you've expressed today, he asked the counsel to the Secretary, Mr. Earl Gjelde, to move forward with a management plan to look at all the issues—penalties, the relationship with the States, the relationship with environmental groups—and try to find a way to allow OSM to be less confrontational but more successful in assuring the objectives of the act are met.

Last week that management action plan came out. And in it, one of the comments was that OSM will look at what are the appropriate fines for certain types of violations.

Senator, I could not agree with you more. A sign that's improperly marked or improperly placed does not appear to me to warrant a $22,500 fine; but on the other hand, Senator, an operator who's out there mining illegally, without a permit, and affecting the environment, should be fined. He should not be mining coal, and it's our hope that we won't let him mine coal.

So there are two extremes, and the same principles need not apply to the same extremes on those. So we need to be sure we have a balanced approach.

Senator Nickles. I would encourage you to use a common sense approach. Again, I'll just relate another incident where we had operators that would come up and state that one investigator would basically be signing off. Another one might come out a week later, and a rain just came, and all of a sudden this is not in compliance, and here starts the whole litigation process—and very confrontational; not in a cooperative manner in many cases, where what can we do to make sure that this is in compliance, but in many cases very confrontational. And that's not to anybody's—certainly not in the environment's best interests.

Another parochial question that would be under your domain, I believe as well, and that deals with mineral management, particularly the payment of royalties particularly to Indian tribes and individuals.

We've had an enormous backlog, confusion, delay, inaccuracies, many times underpayments of substantial amounts, possibly the other way. I don't hear about those.

I know that some efforts have been made, but I would have to say that most people that we've discussed it with have said that they've been inadequate or they haven't been successful enough, or they haven't been prompt enough, and that there's still a substantial amount of work to be done as far as processing and cleaning up some of the mistakes that have been made.

Are you aware of that problem? Are you willing to invest a little time and energy in trying to see that we couldn't do a better job as far as fiscal management of these royalties?

Mr. **Griles**. Absolutely, Senator. We will do that. I talked to the Assistant Secretary designee for Indian Affairs after you and I discussed this issue. He and I both admit that this is a top priority of ours to address that issue.

Senator **Nickles**. Is that Mr. Swaymer?

Mr. **Griles**. Yes, that's correct. And he and I both will make that a top priority to continue to move forward, because there has been progress there.

Senator **Nickles**. I appreciate that. I'm not sure there's been that type of cooperation necessarily in the past with some of the various divisions, and I look forward to working with you on that as well.

Thank you very much.

The **Chairman**. Senator Metzenbaum.

Senator **Metzenbaum**. Mr. Griles, there is considerable evidence that under your stewardship, the Office of Surface Mining carried out a campaign to gut the Federal strip mine laws. That actually might make you pretty popular with some members of the committee, but not with this Senator.

Eighteen months after you arrived, nearly 50 percent of OSM's experienced personnel were fired, resigned, retired, or transferred. Major environmental and enforcement regulations were rewritten, thrown out by Federal courts as totally at odds with the law. And finally, the Office of Surface Mining has made no effort to collect nearly $200 million in fines.

I guess my basic question is, why do you want this job? You don't seem to believe in the law; you're not enforcing the law; you reorganized the Department; half the people have left.

Why don't you go do something else instead of accepting a governmental responsibility to do something you obviously don't believe in?

Mr. **Griles**. Senator, if I believed all that I read in the newspapers about some of the facts——

Senator **Metzenbaum**. This isn't from the newspapers. I haven't quoted a newspaper yet.

Mr. **Griles** [continuing]. Some of the facts about what OSM has done. My commitment, Senator, if confirmed, is to assure that the Surface Mining Act is enforced and that OSM is moving forward with the computerization which started in 1982 of those past violations, fines and is still moving forward. Most of those violations occurred in 1977, 1978, 1979, and 1980.

Senator **Metzenbaum**. Well, Mr. Griles, you talk about the newspapers, but let me talk about the House Government Operations Committee. They had a bipartisan report, not just the majority—bipartisan. It was issued without dissent and there were no minority views.

And I must say to you, in the years I've been in the Senate, I don't think I've ever read anything that comes through as strongly as does that report.

It's rather interesting to me that you immediately pop—some people in Government are so apt to do—lay it onto the newspapers or those reporters or the TV people. I haven't said a word about newspapers.

But the bipartisan report could not have had stronger language:

> The Department has failed in carrying out its responsibilities for assessing and collecting civil penalties and for implementing other enforcement provisions of the law. Office of Surface Mining has failed to establish itself as a credible regulatory agency. The continuum of inactivity at the OSM evidences an agency either hesitant or simply unable to carry out its regulatory responsibility.

The report concludes with an unbelievable kind of suggestion. I don't know when I've seen this kind of an extraordinary suggestion made by a congressional committee, which says that if there is no improvement in 6 to 9 months, Congress should consider transferring administration of the program from the Department of the Interior to another appropriate regulatory agency.

Now, that's an extraordinary indictment of a program which more than any single individual, you managed. That's the reason I say, why do you want this job?

That conclusion raises serious questions, frankly, as to your commitment to the law, and if it isn't a lack of commitment then it raises a question about your qualifications for the position to which you've been nominated. What reason is there for any of us to believe that in your new position you won't continue to subvert or otherwise distort the law, both as it pertains to surface mining and to other issues under your jurisdiction?

Tell us something that would give us some reason to say this is the man who is going to do the job. We write the laws, but you people who have the regulatory responsibility to follow through in implementing the laws, if you don't do your job—and this House committee bipartisan report, no dissent, could not have used more condemnatory language. And it's interesting to me that for that kind of inactivity, for failure to perform your responsibilities, this administration sees fit to promote you.

No wonder there have been so many newspaper stories of indictments and other things—and I don't mean to suggest in any way any criminal activity on your part. I am not suggesting that. But I am suggesting a total lack of commitment to the program and a total blank as to any reason why you should be holding this position.

Would you care to respond?

Mr. GRILES. I think I should count to 10 for a second.

Senator, in the last 2½ years I have not had managerial responsibility for the Office of Surface Mining.

Second, that responsibility is important. I believe that the law is a necessary law; it is an important law; and if I am confirmed, I will assure you that that law will be effectively enforced.

There are a number of issues that OSM needs to get ahead of the power curve on. The Secretary, when he was confirmed, identified OSM, as I previously stated, as one of the two top issues within the Department of the Interior. Since that time, OSM has had the personal attention of the Secretary. He has spent a number of hours reviewing policies and procedures which resulted last week in the submittal of a draft management action plan to a number of interested parties. That plan will address many of the concerns that have been identified by the House Government Operations Committee, by this committee, by individual Members of Congress, as well as outside groups.

If I am confirmed, I will assure that those policies, once the Secretary makes his final decisions, are implemented.

You asked why I should be confirmed for the job. I know the act, I am dedicated to making the act work. I've taken an oath that if I am confirmed I will do that.

Second, I bring management abilities to make it happen, and we will assure that the problems of the past, Senator, will be addressed in an effective manner.

Senator METZENBAUM. Well, I appreciate your statement, but you led off by saying that you did not have the direct responsibility.

Let me read you what you have stated to us in your report that Presidential nominees submit. From 1983 to the present, you had direct responsibility for programs associated with land use planning, public land management, including onshore and offshore minerals management; development and management of effective fuel-related mineral data collection analysis; operations management for minerals on the Outer Continental Shelf to the outer limits of the U.S. economic jurisdiction; management of revenues from Federal mineral leases; also serve as an adviser to the Secretary in the Secretary's role as Chairman of the Cabinet Council on Natural Resources in the Environment; oversee secretarial direction and supervision of the Bureau of Land Management, the Minerals Management Service, and the Office of Surface Mining and Reclamation.

Prior to that, from June 1981 to September 1983, you were the Deputy Director of the Office of Surface Mining. You were the principal adviser to the director. You managed the Surface Coal Mining and Reclamation Act that controls all coal mining to assure environmental protection and proper reclamation of lands disturbed. You pride yourself on revising the regulations to remove inflexible design criteria and replace with enforceable performance standards. You go on.

But certainly you didn't say that you didn't have responsibility. I could read more of that which you've done. I think that it does come right to your doorstep. Mr. Griles, for you to say that you didn't have direct responsibility, I have difficulty in comprehending how you could make that as your lead response.

If you would care to respond to that.

Mr. GRILES. Senator, what I stated, I think, was that since I was named the Deputy Assistant Secretary in the summer of 1983, I from that time forward had no responsibility for the Office of Surface Mining.

The Assistant Secretary's office did. There were two Deputy Assistant Secretaries. That other Deputy Assistant Secretary had responsibility for the Office of Surface Mining. I was not involved, did not participate in day-to-day decisionmaking or policies of that office from that point forward. Last——

Senator METZENBAUM. But you say here——

Mr. GRILES. May I finish?

Senator METZENBAUM. Oh, I'm sorry. I didn't mean to interrupt you.

Mr. GRILES. Last year, in December, when the Assistant Secretary left, from December until Secretary Hodel came aboard, I did get and was involved in some decisions with the Office of Surface Mining.

When the Secretary came on board, he and I agreed that OSM was a major management problem for Interior and that we needed to restore credibility to the agency. I asked an individual by the name of Jim Cason, who worked for the Bureau of Land Management, to spend as much time as he could to help resolve the management problems of the agency in terms of setting up a computer system to assure the collection of those old fines.

The Secretary asked his counsel, Mr. Gjelde, to take a direct-line responsibility course for OSM, to assure that we did have the best management team to address OSM problems and restore credibility to the agency.

That occurred and has been ongoing. I believe, Senator, the Draft Management Action plan that is out for review and will come out again in draft for review in January will go a long way toward addressing the many management problems that OSM is confronted with today.

Senator METZENBAUM. What you're saying is that you're going to resolve and clean up some problems that have been created previously. But the facts indicate that the problems that have been created were at your very doorstep. And when you were in the—when you were Deputy Director of the Office of Surface Mining, you specifically mentioned that you managed the Surface Coal Mining and Reclamation Act that controls all coal mining to ensure environmental protection and proper reclamation of the lands disturbed.

You told us that that was when you were Deputy Director. In your more recent position, you told us that you oversee the secretarial direction and supervision of the Office of Surface Mining and Reclamation.

And in the Brooks Committee report, they say the following:

> Reorganization of the Office of Surface Mining in 1981 seriously undermined the Department's ability to process civil penalty collection cases. Congress provided that surface mining activities would eventually be regulated by the coal producing States. Until the States assume primary responsibility for carrying out the Surface Mining Act, OSM was responsible for implementing an interim program in the

States and was originally organized to accommodate the interim program. The pending shift in responsibilty to the States necessitated a reevaluation of OSM's organizational structure.

On May 20, 1981, then Interior Secretary Watt formally approved the plan for reorganization of OSM, a plan developed and implemented under the direction of then Director, Mr. James R. Harris, and Deputy Director, Mr. Steven Griles.

Now you're saying there are problems that have been created by reason of the reorganization, and you're coming in to do something about it.

Now, you had those responsibilities. First of all, the question is, you created the problems. I mean that's what the Brooks Report says. Now you're saying to us, you're going to see to it that those problems that were created by others are going to be cleared up.

I'm asking you, can you give us a scintilla of evidence, just any kind of evidence, that you, Steven Griles, have done anything to provide effective direction, effective operation of the Office of Surface Mining. If you believed in the law, the question is why did you undertake a major reorganization which resulted in the loss of your most experienced personnel, leaving the agency understaffed and demoralized and, according to the Department's own management review, unable to carry out its statutory responsibility?

Mr. **Griles**. Can I answer that, Senator?

Senator **Metzenbaum**. Please do.

Mr. **Griles**. I'm really glad we had a chance to put that on the record because in 1981, when I came to the Office of Surface Mining, I was presented with a reorganization plan that was prepared by the previous Director of the Office of Surface Mining in 1980.

Along with that reorganization plan, Senator, was a proposal of how the Office of Surface Mining would be staffed when the States were given primary responsibility for enforcing the Surface Mining Act.

The numbers that were in the OSM reorganization that went into effect in 1981, 1982, and some in 1983—because it was phased—are the same numbers that were in the 1980 proposal of the Office of Surface Mining. The number, 69, was the 1980 previous administration figures for inspectors that was used. It was based upon a statistical sampling technique that was contained in the agency's budget to be implemented.

By the agency was going to assure sampling in States' enforcement programs, the states were in fact carrying out the law. That's what that reorganization was based on, Senator.

Now, as to my doorstep and those problems, Senator, when I came to that agency I found an agency that was totally disorganized in terms of its organization. It did not even have computerized files on violations. We found them in paper bags, in boxes, in basements. It took almost 2½ years to even identify all the violations that had been issued from 1977 to 1980.

It took us until—to even get those on a computer. So I understand your concerns, Senator. I had them also. And we tried our best to get a handle on those problems. They haven't gone away, and they're not going to go away tomorrow morning, but they will go away through diligent efforts. And that's my commitment, Senator; to move forward, to identify those problems that you and others have identified, and try to resolve them, in a consensus approach, working with all the affected groups, including the environmentalists and the States who the law says should have primary responsibility.

If I am confirmed, that is my commitment—to make the law work and to remove those management issues of the past.

Senator METZENBAUM. Well, you've been in for 4½ years. You've been a player. Now, it's an interesting thing. Earlier you said that you're going to be there to undo some of the problems created by the reorganization.

Mr. GRILES. I don't think I said that, Senator, but——

Senator METZENBAUM. Well, I don't mean to misquote you, but that was my understanding.

What did you say you were going to do about all the problems created by the reorganization?

Mr. GRILES. I don't think, Senator, that the problems that I have heard you speak of today, that is, the violations that were issued and the penalty collections are going to be ever resolved except simply by putting together the strongest management team that has computer knowledge, that has management experience, and make it work and get those done. And we're doing that. We've been doing that for the last year, Senator.

Senator METZENBAUM. Give me some evidence of some achievement. Four and a half years you've been in the ballgame. Four and a half years. You first were the Assistant Director for Inspection and Enforcement. You then were the Deputy Director, Office of Surface Mining. And then you are Deputy Assistant Secretary, Land and Minerals Management.

Now, you were really at a very high level, because you were an adviser to the Secretary in the Secretary's role as Chairman of the Cabinet Council on Natural Resources and the Environment. You could hardly have been in a more powerful position unless you had been the number one man.

And you keep saying, we're going to be doing it. And my question is, give me some evidence, that scintilla of evidence that I talked about a minute ago, that indicates that you, Mr. Griles, have done something affirmative. The record of enforcement is an abomination. The record of fines collected is an abomination; of permits revoked is a nothing.

The report to Justice Parker—I was trying to find this in the report that staff pointed out, the Parker Report where they talked about——

[Pause.]

Senator METZENBAUM. Tell me what you've done. Give me that scintilla of evidence I'm looking for that you've done something affirmative.

Mr. GRILES. Senator, I think that one of the concerns that I have had, and I think that many have had, is the way that the 2-acre exemption has been used in the past. In 1977, the 2-acre exemption was put into law by Congress. In 1978 when the original regulations were written, they recognized the 2-acre exemption.

Many, many operators in a number of States used that two-acre exemption. And it was abused. In 1981, we proposed regulations, Senator, that would eliminate that abuse, that went a long ways to assuring that only legitimate mom and pop, pick-and-shovel type operators could use that type of operation, because many large corporations were saying we'll mine here and we'll mine there.

Those regulations, Senator, were a direct result of efforts to prevent the abuse that was ongoing.

In 1984, when I did not, and was not directly involved in the Office of Surface Mining activities, I was approached by several environmental groups and by the industry to see if we could find a way to resolve this controversy. I interceded with the Secretary and said, Mr. Secretary, this 2-acre exemption needs to be resolved.

The Secretary agreed to a settlement. The litigation was ongoing. Also, you referred to the case, I think, the *Parker* case, the Parker Gasch Order, plus a 2-acre settlement that was entered into that's gone a long ways, Senator, to addressing problems that started in 1977 and we believe today are much more under control than they ever were.

But the 2-acre exemption is in law, and we're trying to assure that it's not abused. That's the best example that I can give you of my association with that kind of opportunity.

My commitment, Senator, is to try to find consensus with all groups in that program. It is a complicated program. It went through 15 years of legislative history, two vetoes, and there wasn't unanimity. There isn't today, but we need to find common ground to move forward, so that in 1987, Senator, when this law has its tenth anniversary, it will be one of success and not one of failure.

Senator Metzenbaum. Let me ask you, was there a lawsuit filed against the Department in connection with the 2-acre exemption?

Mr. Griles. As I recall the case, Senator, it was in 1980 that it was filed, and it was a case——

Senator Metzenbaum. I guess what I'm asking you, was that action a predicate which caused you to react and to do something about the enforcement of the 2-acre exemption law?

Mr. Griles. The predicate, Senator, was that I was asked to help resolve that issue. There was some litigation. It was an avenue to bring some final closure, in my opinion, to a long, controversial and complex issue.

And yes, we did choose to try to bring stability to that issue through settlement of some litigation.

Senator Metzenbaum: Let me read to you from an October 1985 Report on the Surface Mining Project, Public Lands and Energy Division of the National Wildlife Federation, a very recent report.

You indicate how well you've done on it. Page 30:

> The abuse of the two-acre exemption remains one of the major problems confronting OSM today. While the regulation governing abuse of this provision is sound, and if applied in the field would provide an effective deterrent, there is insufficient manpower at the State and Federal levels to enforce it properly. This is true especially because inspection of mine sites is labor-intensive, given the number and complexity of subterfuges employed by the operators.

Now, that's the 2-acre exemption matter that you talk about in responding to my question about some evidence.

Mr. Griles. Can I——

Senator Metzenbaum. Go ahead.

Mr. Griles. Let me just say, Senator, that the National Wildlife Federation report, I think, does make a good point. That is, that those regulations they talk about that will result and prevent that abuse were done, and I helped write those, and that is why they say that.

There are and were continuing concerns, and specifically in one or two States. And in that State, I sat down with the Governor myself last May and asked the Governor to please help us prevent continuing use and abuse of that 2-acre exemption. That was in the State of Kentucky.

We moved forward, and I believe today, my understanding and I asked——

Senator Ford. I'm getting some side comment up here, and I'll be glad to respond to the side comment.

Senator Metzenbaum. I didn't say anything until you said Kentucky, and all I said was, "Oh, Kentucky."

Senator Ford. Well, I got the comment before. So let me just say in his defense that this Administration didn't force the 2-acre permit on Kentucky. The previous administration did. Walter Heine came down to Kentucky, testified before our committee, and said we couldn't get primacy unless we had the 2-acre exemption in the law.

Today we have almost 2,000 2-acre exemptions in Kentucky. Now, it's not this fellow's fault that it happened. We didn't want it, as I understand it. When I say "we," the Kentucky legislature didn't. And I think that the Governor has attempted to increase the number of employees——

Mr. Griles. That's correct.

Senator Ford [continuing]. They have more inspectors, to meet a goal, so they can get out and comply with the law.

Now, I don't want to defend you completely as to all these things that Senator Metzenbaum is bringing up, but I do want to make it very, very clear that it was not this administration's fault. It was the Congress.

But nothing prevents the State, in my opinion, to have a more stringent law, more stringent regulations than we have in Federal law. And when we want to do that, the administration previously, the Director of OSM came to Kentucky, testified, and said we couldn't get primacy unless that was in Kentucky law, and Kentucky put it in the law.

Now we have the problem everybody's fussing about. So I wanted to make that point clear, how it got started.

Senator Metzenbaum. Appropos your effectiveness in positions you've held, I've looked over the Brooks report a little more. One part reads:

> In March 1983, the Department reported to Judge Parker that it had begun a system of notification to the States of unabated violation and would take prompt action to ensure that "the permit is denied or, if already issued, promptly revoked" whenever any State failed to take appropriate action. Yet, by April 1984, the Department reported that the States had denied only 25 permanent program permits. No permits had been revoked. This record is not surprising in light of the apparent difficulties the Department has had in developing a workable system to identify permits that should be denied or revoked.

Then at another point:

> The December 1982 Parker order required that the Department of the Interior pursue immediately and diligently all enforcement action, including injunctions, individual civil penalties, criminal actions, permit denials and the suspension and rev-

ocation of permits required to reduce and eliminate the backlog of pending cases. The order directed the defendants to allocate and commit sufficient personnel and resources to eliminate the backlog. However, the order was not adequately complied with. By mid-June 1984, the Office of Surface Mining had completed its review of only about 150 of the 1,700 cessation orders covered by the review.

How do you respond to this continuum of failure to adequately enforce the 2-acre limit until there's some pressure brought upon you; even then, the National Wildlife Federation saying it isn't working; the whole question of permits; the whole question of the violations? How do you explain all of this in 4½ years of leadership, and then come before us for a promotion?

Mr. **Griles**. Senator, I think you made a point about the date of the system, the working system. And as I stated to you when you asked one of your original questions, that is when I took that responsibility, I asked Mr. Cason to please take that job and design a system that would work, a complicated computerization to check permits that are issued by a State against corporate ownership, partnerships, and all kinds of other entities which are cross-ownerships and things of that nature.

I am happy to say, Senator, that we are in the process and we have done that. That whole program is underway. We've got a computer contract let. Design of it is occurring. And in the next year, we will have had that system in place. That system will result in assuring that anyone who is a violator of the Surface Mining Act, by the standards of that act, will not be allowed to get a permit to mine coal.

That's what the system is going to do. It is being designed today. My understanding of it is that it will be in place in the next 12 months. And that program will, I believe, go a long ways toward addressing some of these concerns.

Senator **Metzenbaum**. Mr. Griles, you tell us what's going to happen a year from now. You've been there 4½ years. One of the keys to effective enforcement is levying and collecting fines from violators.

According to the House report, there has been a virtual breakdown in the civil penalty collection system which will result in most of the $150 million to $200 million in civil penalties already owed for violation going uncollected. So as a result of your lax attitude, hundreds of operators have and will probably continue to violate the law with impunity, knowing that you will look the other way.

How much have you collected out of this $150 to $200 million in penalties?

Mr. **Griles**. Senator, I don't have that information.

Senator **Metzenbaum**. Isn't it about $7 million?

Mr. **Griles**. Senator, I don't have that information.

Senator **Metzenbaum**. Well, will you supply that information to the committee?

Mr. **Griles**. Yes, sir; I will.

Senator **Metzenbaum**. How many operators with permits have violated the law to your knowledge?

Mr. **Griles**. I don't know the number of violations that have been issued by the Surface—maybe I didn't hear your question.

Senator **Metzenbaum**. How many operators with permits have violated the law?

Mr. **Griles**. Senator, I don't know how many operators have been issued—are you asking me—an existing coal company, say in your State, that has been issued a violation by the State? I don't know how many violations have been issued.

Senator **Metzenbaum**. You have no record of that at all?

Mr. **Griles**. I don't. I would say that, based on the Surface Mining Act, and the things that could happen in a surface mine job, many—probably all operators at some point will find that they have some violation. A sign blew down when it was supposed to be standing up. That's a violation.

So I can't answer that question, Senator.

Senator **Metzenbaum**. Isn't there something in the law about your being permitted to issue the State pending notices when the States are not efficiently or effectively enforcing the law?

Mr. **Griles**. That's correct, Senator.

Senator **Metzenbaum**. How does that work?

Mr. **Griles**. The law, as I understand it, Senator, is that when a State has primary authority for enforcing the Act, like the State of Ohio, that if OSM in doing its oversight determines that in its opinion, that there is a violation at a surface mine that the State has not issued a notice for, OSM gives a notice to the State. It's called a Ten-Day Notice.

Senator **Metzenbaum**. Have you given any?

Mr. **Griles**. Yes, sir.

Senator **Metzenbaum**. What's happened as a consequence?

Mr. **Griles**. Many have resulted in violations being issued by the State after consultation with the OSM authority. Many have been found to be a misunderstanding on behalf of two inspectors as to what a violation was and what it wasn't. Some have resulted in disputes and some have resulted in resolution. The numbers I don't know, but a number of things could occur.

Senator **Metzenbaum**. Does the Office of Surface Mining have authority under the law to revoke permits, or can only the State do that?

Mr. **Griles**. In terms of a State permit that's been issued?

Senator **Metzenbaum**. Well, yes. Any permits to surface mining.

Mr. **Griles**. It's my understanding that the State has the authority to revoke its permit.

Senator **Metzenbaum**. Does the Federal Government have any authority at all to revoke the permit or to cause a permit to be revoked?

Mr. **Griles**. The OSM can move in such a manner that it can take—as I understand it, Senator—and I'm not a lawyer so I'll state this, and if I'm wrong, could I change it for the record for you? It's my understanding that OSM, under the regulations of 733, can take authority over a permit and probably result in that permit being—I don't know if revoked is the right term, but—shut down.

Senator **Metzenbaum**. I find myself somewhat nonplussed that you who have this responsibility and will be gaining even greater responsibility, if and when confirmed, are really not aware of whether you do or do not have authority to revoke permits.

It seems to me that's rather basic.

Mr. Griles. Well, we do have the authority to revoke permits specifically in the States in which we've issued them.

Senator Metzenbaum. The States what?

Mr. Griles. In which we have issued those permits.

Senator Metzenbaum. And how many States is that?

Mr. Griles. That's in Washington State, I think in Georgia and in Tennessee, in which we have the primary authority.

Senator Metzenbaum. What about States where you don't have the primary authority?

Mr. Griles. It's my understanding, Senator, as I stated earlier, that I believe OSM has that authority. It has to go through the due process of the State. OSM has to show that the State isn't taking a proper role. And isn't doing it correctly, to do that because when this law was passed, Senator, the law states the primary responsibility for enforcement, inspection, and issuing permits rests with the State.

Senator Metzenbaum. But the Federal Government has a monitoring right, and if they don't act, you have the right to come in and require it.

Mr. Griles. Absolutely, Senator.

Senator Metzenbaum. My question is, how much of that activity have you been involved in?

Mr. Griles. Well, when I was at OSM, Senator, we did take a number of actions of that nature. We put in process Senator Nickles' point about Oklahoma. It was after I left OSM that the actions in Tennessee were taken and OSM took over both the Tennessee Program and the Oklahoma Program.

So it has occurred.

Senator Metzenbaum. Let me read you something from a subsequent report on the Office of Surface Mining. Beyond reclamation?—and that has a question mark after it—12th report by the Committee on Government Ops of the House. They say:

> The committee's 1984 report demonstrated that the Department was bogged down in a time-consuming and, more important, ineffective effort to collect civil penalties owed by coal mine operators for violations of the law. Because the long, unwieldy and inefficient process of administrative and court proceedings had produced insignificant results, the committee concluded that Interior must focus its attention on the use of techniques for collecting penalties which are less time consuming and labor intensive than is the current practice of simply filing court cases.
>
> Convinced that withholding mining permits would be an effective response, the committee further concluded the Department should develop a fully workable system for denying permits to operations owned or controlled by operators who have violated the act and for revoking such permits. Since most States now are responsible for issuing and revoking operating permits, obviously development of such a system would require close coordination with the State.
>
> The committee recommended that OSM should implement an ongoing system of notification of the States regarding civil penalties owed, including penalties assessed by the States for purpose of permit denial; establish an ongoing real time system for identifying, matching and providing to States and Government entities who contract with coal producers information regarding coal operation who have violations and owe civil penalties; and include in the ongoing oversight of State program the review of State action with respect to denial, revocation and suspension of permits. Such review should not be limited to an annual review.

The punch line:

> Unfortunately, none of these recommendations has been satisfied.

Mr. Griles, I guess I could go on for a while longer, but I am prepared to say that I don't think you've convinced me of your dedication to this portion of this law, nor of your involvement in the effective enforcement of it to date. And I come back to where I was at the beginning; that is, that I have difficulty in understanding why a man who is obviously intelligent, assumed to be a man of character, would want to hold this position, when in 4½ years there has been such negative progress vis-a-vis effective work conformity with the law.

And I must say, I'm disappointed in your performance, and I think it's only fair to say I'm even more disappointed in the fact that the administration, the President has seen fit to nominate you for this position in view of your past failure to perform.

Thank you.

The **Chairman**. Thank you, Senator Metzenbaum.

Let me make just one brief statement at this point, because I don't think this started 4½ years ago. I think it started 7½ years ago.

Congress passed a bill that is very difficult to administer. I would hope that the administration might well focus on why it's difficult to administer, and if indeed it cannot be, then make recommendations to us as to changes in the statute that might be necessary or desirable to make it possible to administer.

Second, I think it should be stated on the record—and I wish you had volunteered this—perhaps you've been counseled not to volunteer more information than is necessary—the point that you alluded to but didn't elaborate upon, and that is that when you got there, the records of this Department were in cardboard boxes and paper bags in an unguarded room with open access by many. And they were in such shape that nobody could make any sense out of them.

I think that's a fair statement, is it not? I think that's come out at prior hearings and prior conversations. Am I correct in that?

Mr. **Griles**. You're absolutely right, Senator. The records of the agency were in total disarray. We had no way of finding out who had violated the law.

The **Chairman**. I don't say that in order to try to divert attention away from the difficulties or to indicate that the difficulties aren't there, nor even just to say that it isn't the fault of this Adminstration. I'm not saying that. I just want to get the picture complete that the Congress created a tough condition.

When you got there, you had an even tougher condition to confront because of the shape in which the records were then existing; that maybe 4½ years is long enough to get everything sorted out. Maybe it isn't. I think Senator Metzenbaum and others are raising questions about why, even though it was a bad act—a bad act in the sense that it created enforcement difficulties—I don't mean bad act in a broader sense than that—but some of the problems in enforcement arise out of the provisions of the Act and out of the conditions of the records that you found.

Why haven't we been able to straighten it out faster than we have? And I think there are many people asking those questions Would you care to comment?

Mr. Griles. Senator, I think that your points are well made in the sense that we did find that those records were in a number of offices. They were in basements and attics, in cardboard boxes and a number of other conditions, and it took a lot of time to try to even bring them and centralize them in Washington.

We tried to take those records and computerize them. That effort has been ongoing, because until they are in a sense put into a computer with the numbers of companies and individuals involved, can you accomplish what Senator Metzenbaum, as I understand, would like to; and that is to assure that past violators of the Surface Mining Act don't continue to have the opportunity to mine coal until they correct their past abuses.

I think that the systems that OSM is implementing today will do that, and it's my commitment, if confirmed, to assure that they are implemented and that they will be put in place to do that.

The Chairman. Well, if the records are in that bad shape and if, as a matter of fact, you've had all this difficulty over this period of time, aren't you going to be confronted a year from now or 2 years from now or 3 years from now, with the charges that you've failed to collect the fines and penalties that should have been assessed and collected for past activities?

Mr. Griles. Senator, I think that the $200 million that Senator Metzenbaum alluded to—and the figure could be less or more, Senator.

Senator Metzenbaum. $150 to $200 million.

Mr. Griles. OK. That many of those fines were against operators in 1977, 1978, and 1979 at a time when the energy market for coal was extremely high. Those people do not mine coal today. They're out of business. They were small operators. They don't mine coal. We know they don't mine. There may be some, but this computer system will allow us to check those. Many of them went bankrupt. We know this. There are a number of records that have shown that, and in the courts actions have been taken to try to collect that money.

Much of that money—and the agency has stated this on the record at the House Operations Committee—is probably uncollectible, and so did the House Operations Committee report.

We will need to move forward, but in 2 to 3 years, I do not believe that we will be able to collect a lot of that money because those people are bankrupt and there is no liability or accountability to collect.

My commitment for the future is that this system will allow us to log and computerize gross abuses of the act so the States know it, OSM knows it, and they won't get a surface mining permit. And I think that's what we should shoot for, and it will bring and restore credibility to the future of the agency.

The Chairman. My concerns are obviously multiple, but one that seems to me not yet to have been addressed is whether or not you or anyone else is going to be able to make enough sense out of those records and reconstruct them well enough to be able to undertake enforcement activities to collect fines and penalties based upon past activities.

Now, do you believe you can do that?

Mr. Griles. I know the agency is trying, Senator.

The **Chairman**. That wasn't my question, whether you're trying. My question is, do you believe you'll succeed? Are you in a position to tell us now you're going to be able to do that? Are you in a position to tell us now you don't know?

Mr. **Griles**. I'm in a position to tell you that I can't give you an affirmative answer.

The **Chairman**. You cannot give an affirmative answer?

Mr. **Griles**. I cannot, because they are still trying to catalog all those violations. That process in underway right now in the agency.

The **Chairman**. I also should state for the record that I think the Parker decision was issued in spring of 1983 if I'm correct.

Mr. **Griles**. I think that's correct.

The **Chairman**. If my memory is correct.

And following that, the Department did ask for additional personnel and some additional funding.

Mr. **Griles**. That's correct.

The **Chairman**. That Congress did not act upon that request until late in 1983, and that some additional funding was made available to the Department late in 1983, but actually you didn't get started really on spending that additional money until early in 1984.

Am I correct?

Mr. **Griles**. That's my understanding. Yes, sir.

Senator **Metzenbaum**. Mr. Chairman, I have just one more item.

The **Chairman**. Surely. Senator Metzenbaum.

Senator **Metzenbaum**. Mr. Griles, the counsel for the minority has advised me that the Secretary can suspend permits when the State—even when the State has primacy. And they only revoke in those areas where the Federal Government is running the program.

But it should be pointed out, if you have the authority to suspend, that's all the authority that you need, because there is no limit as to how long you can suspend. I guess it concerns me a bit that you yourself do not seem to be aware of this right to suspend. If you were aware of it, it has not been invoked.

Mr. **Griles**. Senator, when you asked that question, it suggests—and I have great respect for the minority counsel's opinions on this issue, so I assume that what he's saying is exactly right. And when you asked the opinion, could we revoke, and I said, Senator, I have concern about saying yes to that question, because I didn't think we had the authority to revoke permits unless we had issued them.

I think I did say to you, I think we can suspend them. I believe that's how my answer went.

Senator **Metzenbaum**. I don't think I heard that, but I certainly am not going to quibble about that.

Mr. **Griles**. But that's the reason, Senator. I really wanted to be accurate with you on the record.

The **Chairman**. Senator Wallop.

Senator **Metzenbaum**. Thank you very much.

Senator **Wallop**. Mr. Chairman—Senator Metzenbaum, before you leave, I would like you to hear what I'm about to say.

Senator **Metzenbaum**. I just have to talk to your colleague, Senator Evans. I'll come right back.

Senator **Wallop**. Very well. I'll say it anyway.

Mr. Chairman, I have a statement in support of Steve Griles' nomination which I wish to have inserted in the record.

The **Chairman**. That will be placed in the record in full at this point.

[The prepared statement of Senator Wallop follows:]

STATEMENT OF HON. MALCOLM WALLOP, A U.S. SENATOR FROM THE STATE OF WYOMING

Mr. Chairman, I am pleased to join other members of this committee in offering my complete support and confidence in the "official" nomination of Steve Griles to this position. In my opinion, Steve has already been the Assistant Secretary for some many months now, and this process is simply that—a process to officially erase the "acting" portion of this job title which has restricted, if not down right impeded his ability to get the job done.

Over these many months as Acting Assistant Secretary, Steve has played a critical role in re-shaping and shaping many of Interior's emerging policies in coal leasing, the Federal Oil and Gas Royalty Management Act Inspection Program, and the Federal Onshore Oil and Gas Leasing Program to name a few. In my dealings with Steve on these and other issues, I have always found him to be a straight-shooter and willing to discuss his options with members of this committee before reaching a final decision. I would encourage him to maintain this already established pattern, and to keep members of this committee as up to date as possible on emerging issues or possible problems. Finally, keep up the good work, and best of luck to you.

Senator **Wallop**. Mr. Chairman, increasingly, I find these hearings a rather degrading process, not devoted to the purpose of determining whether or not a nominee should be forwarded to the Senate, but devoted to ad hominum attacks, to character assassination, to sort of Ciceronian innuendo by "I don't mean to say that you're one of those who might be indicted, I don't mean to imply," and I think it is demeaning and unworthy of the Senate to do it this way.

Senator **Metzenbaum**. I want to say to my colleague——

Senator **Wallop**. Mr. Chairman, I have the floor.

Senator **Metzenbaum**. There was no personal attack upon this man.

The **Chairman**. Senator Wallop has the floor. You may respond.

Senator **Wallop**. You can respond at your will.

But when the questioner won't listen to the responses of the witness, for eagerness to get another mount from his ponyholder, it puts a——

Senator **Ford**. Explain that, would you? [Laughter.]

What is a ponyholder?

Senator **Wallop**. A ponyholder is the staff person who's forwarding to you another question before you hear the response to the question you just asked.

And I think it demeans the Senate. I take offense, perhaps more than I should, because Steve Griles is my friend, but I don't think it's a proper procedure. I have no quarrel—none—with the idea of examining the whole record, but I don't think an examination of the record ought to be accompanied by little statements like, why do you want this thing when you have been so incompetent?

That's not the purpose that we gather here for. We are gathered here to examine the record, to look at the future, to try to develop some responses that we may come back to revisit later because that's one of the opportunities that we have to come down to grips with policy decisions that may be pending.

And I just hope that somehow or another, this Senate seems willing to get back to the purpose involved, and that is to examine the record by all means, but not to examine it with a you this and you that. And maybe it might be, why would you, if you're so incompetent, want to have this job?

I just don't think that that's an appropriate way, Senator Metzenbaum, and I wanted to get that off my chest, because I don't think—I don't by any stretch of the imagination suggest that you should not examine the record, but there's two ways to do it, one of which is not personal. And I think for the Senate's reputation, that's a much better way.

Senator METZENBAUM. Mr. Chairman, may I respond?

The CHAIRMAN. Does the Senator yield? Senator Metzenbaum.

Senator METZENBAUM. I fully respect my colleague from Wyoming, and I respect his conducting himself in the manner that he deems appropriate. But I believe that the U.S. Senate has an absolute responsibility—it's not a casual responsibility. I think when you fail to ask him about his failure to act, if you think that is the case, then I think that you are remiss in your responsibilities.

I believe that every member of the U.S. Senate ought not to inquire as to his personal life—and that I have not done. I have not inquired about something he did 20 years ago. That I have not done. I have inquired of him with respect to that which I consider to be the issue, and that is based upon his record of 4½ years in this department, should he be promoted by this administration? And I believe, Senator, that if you don't get into that question—if I sat here on my butt and just voted yes or no, then I think that I shouldn't be in the U.S. Senate.

If anything, I believe the members of the U.S. Senate totally abrogate their responsibility on these advise and consent hearings. I take my constitutional obligation seriously.

You may not agree with my point of view, but that doesn't mean I'm going to change my conduct because you disagree. And I believe that to do anything less than to inquire of an individual concerning his past conduct and his professional responsibility would be a failure.

And so I am not going to change my method of operating or my conduct. And if there was any implication—any implication—of that, I suggest that any impropriety upon this nominee, by reason of talking about the administration indictment, I totally apologize for that, because I had no intention of doing that. I think that was clear to you, Mr. Griles. I did not mean to suggest that at all.

I would consider that to be totally off base. He has nothing to do with any other nominees, with any other people holding public office. But to inquire of him concerning his conduct or failure to act in his professional capacity, I believe that's appropriate, and I will continue to proceed accordingly in the future.

The CHAIRMAN. Senator Wallop.

Senator BUMPERS. Mr. Chairman, what is the status of the questioning?

The CHAIRMAN. We are rotating, and Senator Wallop——

Senator **Bumpers**. I take it we're not going to get to me before this vote. That's the reason I was asking.

Senator **Wallop**. I have two very short questions. I had an observation. I didn't expect Senator Metzenbaum to change the way he operates. I don't know anybody in the Senate who does.

Senator **Metzenbaum**. Who does change his method, or expects me to change?

Senator **Wallop**. It's the method I was complaining about, not the fact that you were examining the record.

Mr. Griles, the President's fiscal year 1986 budget contained a proposal to deduct the administrative costs of collecting onshore mineral leasing receipts prior to calculating State shares of royalty revenue.

The Senate has rejected this concept twice, both in the authorization process and in the appropriation process.

Do you support that proposal? And, if so, could you give us an idea of what costs should be deducted?

Mr. **Griles**. The President submitted to the Congress a budget that contained that provision, and I support the policy of the President in that regard, Senator.

In terms of the issue that you asked, I think that the proposal would have allowed for the deductions of collecting and disbursing those funds before the moneys are disbursed to the States and the States get their 50 percent. It would be after the cost of collecting and disbursing had been deducted. That was the proposal within the President's budget.

Senator **Wallop**. Well, I guess the reason that I asked was because the proposal went from $5 million to $100 million or something overnight, and we thought that even under less bureaucratic circumstances that was a rather dramatic increase in cost of collection. And I'm sure you can expect this committee to be a very close viewer of any attempt to apply cost deductions, and those that we do finally submit to, if we ever do, would be really very closely related just to the bookkeeping accounts.

Last question. You're aware that many of the members of this committee were actively involved in drafting the Federal Oil and Gas Royalty Management Act of 1982 and were also actively involved in urging the department to adhere to the original intent of that law, which was basically to ensure that all energy and mineral resources originating on public lands or in public resources were properly accounted for.

On March 22, the department officially suspended its rather controversial inspection and enforcement regulations and appointed a task force to review and revise them.

Would you give us a sort of update as to the status of that task force, its report, and when this committee might expect a review of its findings?

Mr. **Griles**. Senator, we did appoint a task force because when I found the nature of the rules and how it was being interpreted in the field, we realized that it didn't carry out the congressional intent and there were some major problems with it.

So we set up a task force and that task force has met a number of times with the affected parties, including the States, to try to see how to best implement it. They sat down with me on three or four different occasions and we've addressed major policy questions.

Those rules now, Senator, are on my desk as a proposed rule. As soon as this process is completed, I hope that we will be able to focus on that, review those, get them signed and get them into the Federal Register so that the public can then look at the proposed rules to be sure that we in fact are interpreting the intent that you had when you passed that law.

We look forward to having that opportunity to discuss with you and other members of the committee to be sure we aren't doing something that wasn't intended, but we are in fact assuring proper royalty collection and accountability, which I think is the primary purpose of that.

Senator **Wallop**. We look forward to it in your new capacity. Thank you.

Senator **Ford**. Mr. Chairman.

The **Chairman**. Senator Ford.

Senator **Ford** I passed earlier. But I'll have some questions in writing for the nominee about the loss of personnel, about the surface mining and the Assistant Secretary's role in that, the coal program which was testified before this committee in early November.

Those questions I'll submit in writing, Mr. Chairman, because I'll not be able to come back.

The **Chairman**. Senator Bumpers, do you want to return after this vote?

Senator **Bumpers**. No. With your permission, I will submit my questions to Steve in writing.

The **Chairman**. Very well.

I know of no other requests of members to appear personally and question the witness personally. All members should be advised to have their written questions in by close of business on today so that we may expedite the answers.

Mr. Griles, I hope that you'll be able to get those answers back as quickly as possible because as you know, we can't act further on the nomination until the members have had the opportunity to examine the responses to the questions.

Mr. **Griles**. I shall do that, Senator.

The **Chairman**. Thank you very much. I know of no further business to come before the committee at this time. We will adjourn.

[Whereupon, at 11:20 a.m., the hearing was adjourned.]

BLANK PAGE

APPENDIXES

APPENDIX I

Biographical and Informational Statements of the Nominees

RALPH W. TARR BIOGRAPHY

Mr. Tarr was born (September 29, 1948) and raised in Bakersfield, California. He attended Dartmouth College in Hanover, New Hampshire, where in 1970 he graduated *magna cum laude*, Phi Beta Kappa with an A.B. degree in Government.

Following graduation, he returned to California and served for nearly three years as a Staff Assistant to then Governor Ronald Reagan. He also received a Master's degree in Public Administration from California State University, Sacramento in 1973, and was elected to the Honor Society of Phi Kappa Phi.

In 1976, Mr. Tarr received a J.D. degree from the University of California, Hastings College of the Law in San Francisco, California, where he was a member of the Order of the Coif and the Thurston Society and served on the Editorial Review Board of the Hastings Law Journal. During 1976, Mr. Tarr served as an extern for the Honorable William P. Clark, Jr., Associate Justice of the California Supreme Court.

Thereafter, Mr. Tarr moved to Fresno, California where he served as law clerk to the Honorable George A. Brown, Presiding Justice of the California Court of Appeal, Fifth Appellate District. In 1977, he became an associate with the law firm of Baker, Manock & Jensen, a P.C., in Fresno. In 1981, he was elected a shareholder, director and vice president, as well as a member of the firm's Executive Committee. His emphasis was on business and personal injury litigation.

Mr. Tarr left the law firm to join the Reagan Administration in September 1982, serving as Principal Deputy Assistant Attorney General, Office of Legal Counsel, United States Department of Justice. On November 1, 1984, Mr. Tarr was designated by Attorney General William French Smith as Acting Assistant Attorney General in charge of that Office and continued in that capacity until November 13, 1985. He is currently Principal Deputy in that Office.

Mr. Tarr was married to the former Linda L. Kouyomjian in Bakersfield, California in 1972. They currently reside in Vienna, Virginia. Dr. Linda L. Tarr is a practicing clinical psychologist, and is currently Special Assistant to the Secretary for Special Projects, United States Department of Health and Human Services.

Mr. Tarr is a member of the California and District of Columbia Bars as well as the American Bar Association, Federal Bar Association, and the American Society for Public Administration.

UNITED STATES SENATE

COMMITTEE ON ENERGY AND NATURAL RESOURCES

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: TARR (LAST) RALPH (FIRST) WILLIAM (OTHER)

Position to which nominated: Solicitor, Department of Interior **Date of nomination:** October 10, 1985

Date of birth: 29-09-48 (DAY) (MONTH) (YEAR) **Place of birth:** Bakersfield, California

Marital status: married **Full name of spouse:** Linda L. Tarr

Name and ages of children: None

Education:

Institution	Dates attended	Degrees received	Dates of degrees
Foothill High School	9/62-6/66	Diploma	6/66
Dartmouth College	9/66-6/70	A.B.	6/70
Calif. St. Univ., Sacramento	2/71-6/73	M.P.A.	6/73
Univ. of Calif., Hastings College of the Law	8/73-5/76	J.D.	5/76

Employment record: List below all positions held since college, including the title and description of job, name of employer, location, and dates.

6/70 - 8/70	Unemployed
8/70 - 11/70	Republican United Precinct Organization of Kern County, Bakersfield, California; Precinct Coordinator: organization, development, and management of a grass roots political organization countywide
11/70 - 1/71	Unemployed
1/71 - 8/73	Governor's Office, State of California, Sacramento, California; Travel Secretary and Advance Man: responsible for travel arrangements of Governor Ronald Reagan whenever he traveled, both within and outside the U.S., scheduling during his travels, and liaison with individuals and groups at each stop
8/73 - 5/74	Unemployed (school)

Employment record—Continued

5/74 - 1/76	Hassard, Bonnington, Rogers & Huber, San Francisco, California; law clerk
1/76 - 5/76	State of California, Supreme Court, the Honorable William P. Clark, Associate Justice; extern
6/76 - 9/76	Unemployed
9/76 - 9/77	State of California, Court of Appeal, Fifth District, the Hon. George A. Brown, Presiding Justice, Fresno, California; Research attorney (continued)

Military service: Describe any military service not listed above, including dates, rank, and type of discharge.

None

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Daniel Webster National Scholarship, Magna Cum Laude, Phi Beta Kappa (Dartmouth); Phi Kappa Phi (Calif. St. Univ., Sacramento); Thurston Society, Order of the Coif (Univ. of Calif., Hastings College of the Law)

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations.

Organization	Dates	Office held (if any)
American Bar Association	1977-Present	None
American Trial Lawyers Assn.	1980-83	None
Calif. Trial Lawyers Assn.	1980-83	None
California Bar Association	1976-Present	Comm to confer with the Calif. Medical Ass: 1980-82
California Assn. for the Phys. Handicapped	1980-81	None
District of Columbia Bar Assn.	1984-Present	None (continued)

Published writings:

List the titles, publishers and dates of any books, articles, or reports you have written.

"Protecting the Privacy of the Absent Patient: Rudnick v. Superior Court," 27 Hastings Law Journal 99 (1976)

Future employment relationships:

1. Will you sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate?

N/A - Employed by the Department of Justice since 1982

2. Do you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization?

No

3. Has a commitment for employment after you leave government been made to you by anyone? Have you made any such commitment?

No

4. (a) If you have been appointed for a fixed term, do you expect to serve the full term?

N/A

Future employment relationships—Continued

(b) If you have been appointed for an indefinite term, are there any known limitations on your willingness or ability to serve for the foreseeable future?

No

Financial statement:

1. Attach a copy of your Executive Personnel Financial Disclosure Report (SF 278).

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services and firm memberships or from former employers, clients, and customers. Amounts should be indicated by the categories established for reporting income on Form SF 278, Schedule A.

None

3. Are you currently a party to any legal action? If so, describe its nature and status.

No

4. Have you ever declared bankruptcy? If so, describe the circumstances.

No

5. Have you filed a Federal income tax return for each of the last 10 years? If not, please explain.

Yes

6. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

No

Potential conflicts of interest.

1. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

Diamond Shamrock Common Stock

2. Describe any business relationship, dealing or financial transaction (other than taxpaying) that you have had during the last 10 years with the Federal Government, whether for yourself or relatives, on behalf of a client, or acting as an agent, which might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

While employed at a private law firm several years ago I worked on various lawsuits involving the Department of Interior. To my knowledge only one of these cases is still pending.

3. Describe any lobbying activity which you have performed during the past 10 years with respect to legislative or administrative actions at the Federal, State or local level.

None

4. Have you been informed of the conflict of interest laws and regulations applicable to the position to which you have been nominated?

Yes

Potential conflicts of interest—Continued

5. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to this form and the attachments thereto. Attach a statement of the appropriate agency ethics official explaining the applicable laws or regulations, any potential conflicts, and the action required to resolve such conflicts.

Upon confirmation, I will divest Diamond Shamrock common stock interest. I have terminated completely the interests in the former law firm employee trusts shown on the attached SF 171. I intend to recuse myself from any case that I participated in while employed at the private law firm.

6. Explain how you will resolve any potential conflicts of interest that may arise in the future if you are confirmed for the position for which you have been nominated.

It is my intention to comply with all applicable conflict of interest laws and regulations and to seek and follow the Counsel of the Designated Agency Ethics Official at the Interior Department.

Public disclosure: Do you have any objections to this form and the attachments thereto being made public?

No

District of Columbia) ss

AFFIDAVIT

I, Ralph W. Tarr being duly sworn, hereby state that I have read the foregoing Statement for Completion by Presidential Nominees, including all attachments thereto, and that the information provided therein is, to the best of my knowledge and belief current, accurate, and complete.

Ralph W. Tarr
(Signature of Nominee)

Subscribed and sworn to before me this 6th day of November, 1985

Notary Public
My Commission Expires November 14, 1986

Form approved by the Committee February 5, 1985.

Page 2 Employment record - continued

9/77 - 8/82	Baker, Manock & Jensen, a P.C., Fresno, California; associate attorney (9/77-3/81), shareholder, director, vice president and member of the Executive Committee (4/81-8/82)
8/82 - Present	U.S. Department of Justice, Office of Legal Counsel, Washington, D.C.; Principal Deputy Assistant Attorney General (8/82-10/84); Acting Assistant Attorney General (11/84-Present)

Page 2 Memberships - continued

Fresno City and Co Chamber of Commerce	1981-82	None
Taxpayers Assn of Fresno County	1982-Present	None
Fresno County Bar Assn	1977-Present	None
Northern Calif. Assn of Defense Counsel	1980-83	None
Toastmasters	1981-82	None
Federal Bar Association	1982-Present	None
American Society for Public Administration	1982-Present	None
Federalist Society, Lawyers Division	1984-Present	None
Fresno Citizens Participation Neighborhood Council, Area 4; Fresno Urban Planning Committee	1979-81	Chmn, Planning and Zoning Comm
Dartmouth Alumni Association Northern California Washington	1970-Present	None
Dartmouth Lawyers Club	1984-Present	None
Hastings Alumni Association	1976-Present	None
Friends of the Kennedy Center	1982-Present	None
Smithsonian Resident Associates	1983-Present	None
Academy of Political Science	1983-85	None
Phi Beta Kappa	1970-Present	None
Phi Kappa Phi	1973-Present	None
Christian Legal Society	1974-Present	None
Reagan Deputy Assistant Secretaries	1984-Present	DOJ Rep
Baker, Manock & Jensen, a P.C. PAC	1981-82	Treasurer
Tri-Kap Alumni Association	1970-Present	None
Dartmouth Class of 1970	1970-Present	Executive Comm (1970-75)

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

OCT 17 1985

Mr. David H. Martin
Director, Office of Government Ethics
Office of Personnel Management
P.O. Box 14108
Washington, D.C. 20044

Dear Mr. Martin:

The enclosed financial disclosure report filed by Mr. Ralph W. Tarr for the position of Solicitor, U.S. Department of the Interior has been reviewed in compliance with 5 CFR §734.604(a). In addition to the standard conflict of interest prohibitions in 18 U.S.C. §§201-209, the Solicitor is also subject to several prohibitions that apply only to employees in our Department. These additional prohibitions are 18 U.S.C. §437; 30 U.S.C. §6; 30 U.S.C. §1211(f); 43 U.S.C. §11 and 43 U.S.C. §31(a). Except for 30 U.S.C. §1211(f), the provisions of each of these statutes is extended to the Solicitor by Department regulations in 43 CFR Part 20. The provisions of 30 U.S.C. §1211(f) apply directly to all Federal employees, including the Solicitor, U.S. Department of the Interior, who perform functions under the Surface Mining Control and Reclamation Act of 1977.

In addition to the information provided on the SF-278, my certification is based on the following analyses and planned resolutions:

1. Diamond Shamrock Company, one of this country's major coal producers, also leases approximately 563,000 acres of Federal land from the Interior Department for its oil and gas operations. Because of this, the Solicitor is prohibited by 30 U.S.C. §1211(f), 43 U.S.C. §11 and 43 U.S.C. §31(a) from having a financial interest in this company. Mr. Tarr has agreed to sell his stock in Diamond Shamrock Company upon his confirmation as Solicitor, U.S. Department of the Interior.

2. Under 18 U.S.C. §208, Mr. Tarr's continuing financial interest in the law firm of Baker, Manock and Jensen through a profit sharing trust and pension plan, would normally require a recusal statement. However, Mr. Tarr has made an official request to the trustee to sell his portion of the trusts investments and to terminate his interests in the trust and pension plan. This action will result in the elimination of any continuing financial interest in the firm and, in our opinion, a recusal statement is not necessary.

3. Mr. Tarr's Individual Retirement Accounts consist of bank certificates of deposit.

4. Kaman Corporation which manufactures aerospace and aviation products has no current business arrangements with the Department of the Interior.

5. Mr. Tarr's real estate interests do not involve any rights to federal lands and water service to the properties is not provided by the U.S. Bureau of Reclamation.

My review of the other items reported by Mr. Tarr reveals no problem with any applicable conflict of interest statutes or regulations. Please call me or my Deputy Gabe Paone if you have any further questions.

Sincerely.

(Sgd.) Gerald R. Riso

Gerald R. Riso
Principal Deputy Assistant Secretary
Policy Budget and Administration
and Designated Agency Ethics Official

Enclosures

cc:
✓Mr. Tarr

BEST COPY AVAILABLE

United States of America
**Office of
Government Ethics**

Office of Personnel Management
Washington, D.C. 20415

OCT 18 1985

Honorable James A. McClure
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Ralph W. Tarr, who has been nominated by President Reagan for the position of Solicitor, Department of the Interior.

We have reviewed the report and have also obtained advice from the Department of the Interior concerning any possible conflict in light of the Department's functions and the nominee's proposed duties. Mr. Tarr has indicated that upon confirmation, he will have withdrawn his interest in the pension and profit sharing plans of the law firm in which he was formerly a partner, thus completely severing any relationship with the firm. He will also sell his stock in the Diamond Shamrock Corporation.

Based thereon, we believe that Mr. Tarr is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

David H. Martin
Director

Enclosure

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

December 2, 1985

The Honorable James A. McClure
Chairman, Committee on Energy and
Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Pursuant to Section 201(b) of the Ethics in Government Act of 1978, as amended, I hereby certify and report that the information required by Section 202(a)(1)(A) with respect to earned income and honoraria, as set forth in my Financial Disclosure Report (SF-278) dated August 22, 1985, is current as of December 2, 1985. I further certify that I have transmitted copies of this report to the Office of Government Ethics.

Ralph W. Tarr
Ralph W. Tarr

Washington)ss
District of Columbia)

Subscribed and sworn before me on this 2nd day of December, 1985.

Janice O. Price
Notary Public

My commission expires: Nov. 30, 1987

cc:
The Honorable J. Bennett Johnston

Financial Disclosure Report

Form Approved
OMB No. [illegible]

Page 1

DEPARTMENT OF THE INTERIOR
RECEIVED
OCT 1[illegible], 1985
ETHICS OFFICE

	☒ New Entrant, Nominee, or Candidate ☐ Termination Filer	Agency Use Only	OGE Use Only OCT 17 1985	Date of Nomination (Mo., Day, Yr.) October 10, 1985
Reporting Individual's Name	Last Name TARR	First Name and Middle Initial RALPH W.		Termination Date (If Applicable) (Month, Day, Year)
Position for Which Filing	Title of Position SOLICITOR	Department or Agency (If Applicable) INTERIOR		
Location of Present Office	Address (Number, Street, City, State and ZIP Code) Office of Legal Counsel, Dept. of Justice 10th & Constitution Ave., N.W. Washington, D.C. 20530	Telephone No. (Include Area Code) (202) 633-2041		
Position(s) Held With the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held Acting Assistant Attorney General (11-84/Present) Principal Deputy Assistant Attorney General (9-82 thru 11-84)			
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination Senate Energy and Natural Resources	Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No		
Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.	Signature of Reporting Individual Ralph W. Tarr	Date (Month, Day, Year) 8/22/85		
Other Review (If desired by agency)	Signature of Other Reviewer	Date (Month, Day, Year)		
Agency Ethics Official's Opinion The information contained in this report discloses no conflict of interest under applicable laws and regulations	Signature of Designated Agency Ethics Official/Reviewing Official	Date (Month, Day, Year) 10/17/85		
Office of Government Ethics Use Only 10/11/85	Signature David H. Martin	Date (Month, Day, Year) 10-10-85		

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

56

(Check box if comments are continued on the reverse side) ☐

Reporting Periods

Incumbents: Complete Schedules A, B, C, and Part I of D. The reporting period is the preceding calendar year except for Part II of Schedule C and Part I of Schedule D where you must also include any positions held or agreements or arrangements made from the beginning of the filing year until the date you file.

Termination Filers: Complete Schedules A, B, C, and Part I of D. The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination.

Nominees, New Entrants and Candidates for President and Vice President: Complete Schedules A, C, and D. (Candidates do not file Part II of Schedule D.)

- **Schedule A**—The reporting period for income (BLOCK C) and Transactions Test (BLOCK D) is the preceding calendar year and the current calendar year up to the date of filing. Value assets in BLOCK B as of any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part I** (Liabilities)—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part II** (Agreements and Arrangements)—Show any agreements or arrangements as of the date of filing.
- **Schedule D**—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

U.S. Office of Personnel Management

Reporting Individual's Name				
FARR, RALPH W.	**Assets and Income**	Page Number	2	Schedule A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. **Exclude** your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the **actual amount** of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

BLOCK A Assets & Income Sources			BLOCK B Valuation of Assets							BLOCK C Income																	BLOCK D Transactions Test	
Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐			Category of Value (X)							Type of Income (X)							Category of Amount of Income (X)										If yes, complete Schd. B Part I for those assets including those sold for a loss.	
S or DC			None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000	Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	YES	NO
	Examples	X Y Z Common				x				x									x								x	
		Doe Jones & Smith, Hometown, USA			x											ptnrshp income									$50,000			
S	1	U.S. Dept. of Health and Human Services														Salary												
S	2	Practicing Clinical Psychologist with Vienna Family Therapy		X												Fees												
	3	Center																										
	4	First American Bank of Virginia, checking account			X							X						X										
	5	First American Bank, N.A. trust account for rental property	X									X					X											
	6	Gibraltar Savings, Money market & savings accounts		X								X						X										
	7	McLean Savings Money market account			X							X						X										
	8	Providence Savings Savings account		X								X					X											
	9	Washington Federal Savings trust account for rental		X								X						X										
	10	property																										

PREVIOUS EDITION USABLE

278-200

NSN 7540-01-070-8016

BEST COPY AVAILABLE

57

BEST COPY AVAILABLE

U.S. Office of Personnel Management

Reporting Individual's Name		Page Number	Schedule
TARR, RALPH W.	**Assets and Income**	3	A

All Filers. In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. **Exclude** your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the **actual amount** of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

BLOCK A Assets & Income Sources — Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐

BLOCK B Valuation of Assets — Category of Value (X)

BLOCK C Income — Type of Income (X); Category of Amount of Income (X)

BLOCK D Transactions Test — If yes, complete Schd. B Part I for those assets including those sold for a loss.

No.	S or DC	BLOCK A	B: None (or less than $1001)	B: $1,001-$5,000	B: $5,001-$15,000	B: $15,001-$50,000	B: $50,001-$100,000	B: $100,001-$250,000	B: Over $250,000	C: Dividends	C: Rent	C: Interest	C: Capital Gains	C: Excepted Trust	C: Qualified Trust	C: Other (Specify Type)	C: None (or less than $101)	C: $101-$1,000	C: $1,001-$2,500	C: $2,501-$5,000	C: $5,001-$15,000	C: $15,001-$50,000	C: $50,001-$100,000	C: Over $100,000	Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	D: YES	D: NO
Examples		X Y Z Common				x				x									x								x	
Examples		Doe Jones & Smith, Hometown, USA			x											ptnrshp income									$50,000			
1		First American Bank, N.A. IRA certificate		X								X						X										
2	S	First Maryland Savings IRA certificate		X								X						X										
3		Washington Federal Savings IRA certificate		X								X						X										
4	S	Washington Federal Savings IRA certificate		X								X						X										
5		Diamond Shamrock Common		X						X								X										
6		Kaman Corporation Common			X					X								X										
7		Residential Unimproved Real Property W. Alluvial, Fresno, CA						X									X											
8		Residential Improved Real Property 6538 N. Valentine, Fresno, CA						X			X											X						
9		Residential Improved Real Property 1163 W. Athens, Fresno, CA					X				X										X							
10																												

PREVIOUS EDITION USABLE

378-208

58

NSN 7540-01-070-8618

U.S. Office of Personnel Management

Reporting Individual's Name		Page Number	Schedule
TARR, RALPH W.	**Assets and Income**	4	A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the **actual amount** of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

	BLOCK A Assets & Income Sources	BLOCK B Valuation of Assets							BLOCK C Income																	BLOCK D Transactions Test	
	Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐	Category of Value (X)							Type of Income (X)						Other (Specify Type)	Category of Amount of Income (X)								Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	If yes, complete Schd. B Part I for those assets including those sold for a loss.	
S or DC		None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust		None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000			YES	NO
Examples	X Y Z Common				x				x									x								x	
	Doe Jones & Smith, Hometown, USA			x											ptnrshp income									$50,000			
1	Baker, Manock & Jensen, a P.C. Pension Trust - Fresno, CA		X								X						X										
2	During 1984 and to date in																										
3	1985 the entirety of the assets of the trust con-																										
4	sisted of deposits in the following institutions																										
5	Bank of Fresno																										
6	Crocker National Bank																										
7	Regency Bank																										
8	Guarantee Savings & Loan																										
9																											
10																											

The portion of the deposits in each of these institutions specifically attributable to me and the precise amount of interest derived from each credited to me is unknown to me. Line 1 reflects my own interest in the plan and the total interest from all sources credited to me.

PREVIOUS EDITION USABLE

278-200

NSN 7540-01-070-8018

BEST COPY AVAILABLE

59

U.S. Office of Personnel Management

Reporting Individual's Name	Assets and Income	Page Number	5	Schedule A
TARR, RALPH W.				

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the actual amount of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

BLOCK A Assets & Income Sources			BLOCK B Valuation of Assets							BLOCK C Income																	BLOCK D Transactions Test	
Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐			Category of Value (X)							Type of Income (X)							Category of Amount of Income (X)										If yes, complete Schd. B Part I for those assets including those sold for a loss.	
S or DC			None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000	Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	YES	NO
	Examples	X Y Z Common				x				x									x								x	
		Doe Jones & Smith, Hometown, USA			x											ptnrshp income									$50,000			
	1	Baker, Manock & Jensen, a P.C. Profit Sharing Trust, Fresno, CA			X							X						X										
	2																											
	3	Trustee Directed investments consist of deposits in the following institutions																										
	4	during 1984 and 1985																										
	5	Guarantee Savings & Loan Continental Illinois Bank																										
	6	Sears Liquid Asset Fund Citybank New York																										
	7	Great American Federal Bank of Fresno																										
	8	Self-directed investments consist of the following																										
	9	Suave Shoe Company Common		X						X							X											
	10																											

The portion of the total fund assets in each of the institutions attributable to me and the interest derived therefrom specifically attributable to me is unknown to me. Line 1 reflects my own interest in the plan and the total interest from all sources credited to me.

PREVIOUS EDITION USABLE

278-208

NSN 7540-01-070-8010

60

57-309 O—86——3

BEST COPY AVAILABLE

U.S. Office of Personnel Management

Form Approved
OMB No. 3706-0092

Reporting Individual's Name

TARR, RALPH W.

Page Number	6	Schedule B

Part I
Transactions

Incumbents and Termination Filers only: Report any purchase, sale or exchange by you, your spouse or dependent child during the reporting period of any real property, stocks, bonds, commodities futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction between you, your spouse or your dependent child.

NONE ☒

S or DC		Identification of Assets	Type of Transaction (X)				Amount of Transaction (X)					
			Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000
	Example	X Y Z Common	X			2/1/83			X			
1												
2												
3												
4												
5												
6												

Part II
Gifts, Reimbursements and Travel Expenses

Incumbents and Termination Filers only:
Report the source, a brief description and the value of: (1) in-kind gifts of transportation, lodging, food or entertainment received from one source totaling $250 or more unless received as personal hospitality at the donor's personal or family residence; (2) other gifts received from one source totaling $100 or more in value; and (3) cash reimbursements of $250 or more received from one source. Exclude gifts and reimbursements received by your spouse that were given totally independent of their relationship to you. **Exclude** transportation, lodging, food and reimbursements from the U.S. Government. For (1) and (2), **exclude** gifts from relatives and **exclude** gifts of $35 or less when aggregating them for the total from one source. See instructions for further exclusions.

NONE ☒

S		Source (Name and Address)	Brief Description	Value
	Examples	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/83	$500
		Nat'l Assn. of Rock Collectors, NY, NY	Leather briefcase for retiring president	$125
1				
2				
3				
4				
5				
6				

PREVIOUS EDITION USABLE

278-100

61

of Personnel Management

Form Approved

Individual's Name
D , RALPH W.

Page Number	7	Schedule C

Liabilities

All Filers: Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse or dependent child. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out, loans secured by automobiles, household furniture or appliances, and liabilities owed to relatives. See instructions for revolving charge accounts.

NONE ☐

	Creditor (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (X)				
						$10,001 to $15,000	$15,001 to $50,000	$50,001 to $100,000	$100,001 to $250,000	Over $250,000
S or DC Examples	First District Bank, Washington, DC	Mortgage on rental property, Rehoboth Beach, Delaware	1981	13%	25 yrs			X		
	John Jones, 123 J St., Washington, DC	Promissory note	1979	10%	on demand	X				
1	Central Savings and Loan Association E. Shaw Avenue, Fresno, CA	First Mortgage on rental property 6538 N. Valentine, Fresno, CA	1976	9 1/4%	30yrs		X			
2	Central Savings and Loan Association E. Shaw Avenue, Fresno, CA	Second Mortgage on rental property 6538 N. Valentine, Fresno, CA	1979	12 3/4%	30yrs		X			
3	Guarantee Savings and Loan Association E. Shaw Avenue, Fresno, CA	First Mortgage on unimproved residential real property, W. Alluvial, Fresno, CA	1979	11 1/4%	20 yrs			X		
4	Valley Federal Savings and Loan Association W. Shaw Avenue, Fresno, CA	First Mortgage on rental property 1163 W. Athens, Fresno, CA	1977	8 1/2%	30yrs		X			
5										
6										

Part II
Agreements Or Arrangements

All Filers: Report your agreements or arrangements for future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

NONE ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date (Mo., Yr.)
Example	Pursuant to partnership agreement, will receive capital account & partnership share calculated on service performed through 11/83	Doe Jones & Smith, Home town, USA	7/78 ptnership agmnt
	Continuing Financial Interest in Profit Sharing Trust and Pension Plan Trust - all contributions were made prior to my leaving the firm in August, 1982 and no further contributions will be made.	Baker, Manock & Jensen, a P.C. Fresno, California	8/31/82

PREVIOUS EDITION USABLE

278-108

[illegible]

Reporting Individual's Name

[illegible]R, RALPH W.

Form Approved
OMB No. [illegible]

Page Number	8	Schedule D

-81

Positions Held Outside U.S. Government

All Filers: Report any positions held during the applicable reporting period. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude positions with religious, social, fraternal, or political entities or those solely of an honorary nature.**

NONE ☒

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/82	6/83
	Doe Jones & Smith, Hometown, USA	Law firm	Partner	7/78	11/83

Part II
Compensation In Excess Of $5000 Paid by One Source

Nominees and New Entrants only: Report sources of such compensation received by you or your business affiliation for services directly provided by you during the reporting period. This includes the names of clients and customers of any corporation, firm, partnership or other business enterprise, or any nonprofit organization, when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

NONE ☒

	Source (Name and Address)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, USA	Legal services
	Metro University (client of Doe Jones & Smith) Hometown, USA	Legal services in connection with university construction

PREVIOUS EDITION USABLE

278-108

63

BEST COPY AVAILABLE

BIOGRAPHY

J. STEVEN GRILES, ASSISTANT SECRETARY DESIGNATE
DEPARTMENT OF THE INTERIOR

1983 - Present: Mr. Griles was appointed Deputy Assistant Secretary by the Secretary of the Interior in May 1983 and has served as acting Assistant Secretary of Land and Minerals Management since December of 1984.

Mr. Griles has served as principal advisor and manager of the Outer Continental Shelf activities and the energy and mineral resource issues on public lands, including Alaska land issues of Bureau of Land Management. Directed the implementation of regulations to implement laws controlling the oil and gas inspection program for royalty collection and environmental protection; supervised the implementation and direction of land use planning, including the disposal of excess Federal lands. In addition to testifying before Congress, he keeps Congressional staff and members informed on Departmental issues, thereby promoting support of agency actions.

March 1981 - July 1983: Deputy Director, Office of Surface Mining, U.S. Department of the Interior.

Served as principal advisor to the Director of the Office of Surface Mining and assured proper implementation of the Surface Coal Mining and Reclamation Act which controls all coal mining. The purpose of the Act is to assure environmental protection and proper reclamation of lands disturbed by coal mining. Mr. Griles oversaw the revision of the regulations to remove inflexible design criteria and replaced them with enforceable performance standards. He also established working relationships with States and approved State programs so as to return primary enforcement of Act to the States.

January 1978 - March 1981: Executive Assistant, Conservation and Economic Department, State of Virginia.

Supervised the development and implementation of policy and program management for 14 major State programs. Those programs included surface mining reclamation, State parks, State forest, reforestation, travel promotion, topographic and geologic investigations, salt water sports fishing promotion, litter control, OCS development, forest fire supervision, and others.

June 1970 - January 1978: Programs Administrator/Staff Assistant, Virginia Department of Conservation and Economic Development.

Developed Departmental policy and coordinated legislative programs for various operating divisions. Provided advice to the Director of Department, including serving on the OCS and Port Development Task Force for Virginia. Served one year on a Legislative Committee for reorganizing major functions of State government, including an analysis and recommendation of the organizational structure for all mineral resource and environmental protection programs.

Education: Bachelor of Science Degree, University of Richmond, 1966-1970. Graduate work in business, Virginia Commonwealth University.

UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES
STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: GRILES (LAST) James (FIRST) Steven (OTHER)

Position to which nominated: Assistant Secretary--Land & Minerals Management, US Dept. of the Interior **Date of nomination:** 11/06/85

Date of birth: 13- (DAY) 12- (MONTH) 47 (YEAR) **Place of birth:** Clover, Virginia

Marital status: Married **Full name of spouse:** Mary Lynn Disque Griles

Name and ages of children
Kimberly Neal Griles (16) Maegan Elizabeth Griles (1)
Timothy Steven Griles (13)
Matthew Disque Griles (6)

Education:

Institution	Dates attended	Degrees received	Dates of degrees
University of Richmond	June 1966-70	B.A.	June 1970
Virginia Commonwealth	Jan. 1975 - June 1975	None	

Employment record: List below all positions held since college, including the title and description of job, name of employer, location, and dates.

Deputy Assistant Secretary--Land and Minerals Management
September 1983 to Present
U.S. Department of the Interior, Washington, DC 20240
Duties: Direct responsibility for programs associated with land use planning, public land management, including onshore and offshore minerals management; development and management of effective fuel-related mineral data collection and analysis; operations management for minerals on the Outer Continental Shelf to the

outer limits of the US economic jurisdiction; management of revenues from Federal Mineral leases; also serve as an advisor to the Secretary in the Secretary's role as Chairman of the Cabinet Council on Natural Resources and the Environment; oversee Secretarial direction and supervision of the Bureau of Land Management, the Minerals Management Service, and the Office of Surface Mining and Reclamation.

- Deputy Director, Office of Surface Mining
US Department of the Interior, Washington, DC 20240
June 1981 to September 1983

Duties: Principal advisor to the Director; managed the Surface Coal Mining and Reclamation Act that controls all coal mining to assure environmental protection and proper reclamation of lands disturbed. Revised regulations to remove inflexible design criteria and replaced with enforceable performance standards. Established working relationships with States and approved State programs so as to return primary enforcement of Act to the States; managed the agency on a day-to-day basis.

- Assistant Director—Inspection and Enforcement
Office of Surface Mining
US Department of the Interior, Washington, DC 20240
March 1981 to June 1981

Duties: Principal advisor to the Director on managing the Surface Mining and Reclamation Act; developed overall administrative framework for revising inspection and enforcement regulations.

Executive Assistant
Department of Conservation and Economic Development
State of Virginia
Richmond, Virginia 23219
January 1978 to March 1981

Duties: Served as director for all administrative, financial, and personnel and policy responsibilities; developed goals and objectives for overall Department; resolved inter- and intra- agency disputes; liaison with General Assembly and handled all legislative matters at both State and Federal levels. Primarily responsible for developing Virginia's Surface Mining and Reclamation Program.

- Programs Administrator/Supervisor
Department of Conservation and Economic Development
State of Virginia
Richmond, Virginia 23219
July 1973 to January 1978

Duties: Developed Departmental policy on various programs; responded to and provided guidance to various operating divisions; served as legislative liaison.

- Staff Assistant/Program Manager
Department of Conservation and Economic Development
State of Virginia
Richmond, Virginia 23219
May 1971 to July 1973

Duties: Coordinated policy positions; served as liaison with various interest groups.

J. Steven Griles
Employment Record Continued
Page 2

- Water Resources Technician
  Department of Conservation and Economic Development
  State of Virginia
  Richmond, VA 23219
  June 1969 to May 1971 (part-time)

Duties: Field analysis and program planning of water quantity resources in the State of Virginia.

Employment record—Continued

Also see Attachment 1 - Standard Form 171

Military service: Describe any military service not listed above, including dates, rank, and type of discharge.

Virginia National Guard, 1970-1978 E-7

Honorable Discharge

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Outstanding Recruit in Basic Training

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations.

Organization	Dates	Office held (if any)
Sigma Chi Fraternity	1966 - To Date	Vice President in College

Published writings: List the titles, publishers and dates of any books, articles, or reports you have written.

Article published in Government Executive - March 1983, entitled "Collecting Commercial Debts Through Private Sector Firms."

Future employment relationships:

1. Will you sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate?

Currently Deputy Assistant Secretary

2. Do you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization?

No

3. Has a commitment for employment after you leave government been made to you by anyone? Have you made any such commitment?

No

4. (a) If you have been appointed for a fixed term, do you expect to serve the full term?

N.A.

Future employment relationships—Continued

(b) If you have been appointed for an indefinite term, are there any known limitations on your willingness or ability to serve for the foreseeable future?

None

Financial statement:

1. Attach a copy of your Executive Personnel Financial Disclosure Report (SF 278).

See Attachment 2.

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services and firm memberships or from former employers, clients, and customers. Amounts should be indicated by the categories established for reporting income on Form SF 278, Schedule A.

None

3. Are you currently a party to any legal action? If so, describe its nature and status.

No

4. Have you ever declared bankruptcy? If so, describe the circumstances.

No

5. Have you filed a Federal income tax return for each of the last 10 years? If not, please explain.

Yes

6. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

No

Potential conflicts of interest:

1. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

None

2. Describe any business relationship, dealing or financial transaction (other than taxpaying) that you have had during the last 10 years with the Federal Government, whether for yourself or relatives, on behalf of a client, or acting as an agent, which might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

None

3. Describe any lobbying activity which you have performed during the past 10 years with respect to legislative or administrative actions at the Federal, State or local level.

See Attachment 3.

4. Have you been informed of the conflict of interest laws and regulations applicable to the position to which you have been nominated?

Yes

Potential conflicts of interest—Continued

5. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to this form and the attachments thereto. Attach a statement of the appropriate agency ethics official explaining the applicable laws or regulations, any potential conflicts, and the action required to resolve such conflicts.

See Attachment 4.

6. Explain how you will resolve any potential conflicts of interest that may arise in the future if you are confirmed for the position for which you have been nominated.

See Attachment 4.

Public disclosure: Do you have any objections to this form and the attachments thereto being made public?

No

AFFIDAVIT

I, J. Steven Griles, being duly sworn, hereby state that I have read the foregoing Statement for Completion by Presidential Nominees, including all attachments thereto, and that the information provided therein is, to the best of my knowledge and belief, current, accurate, and complete.

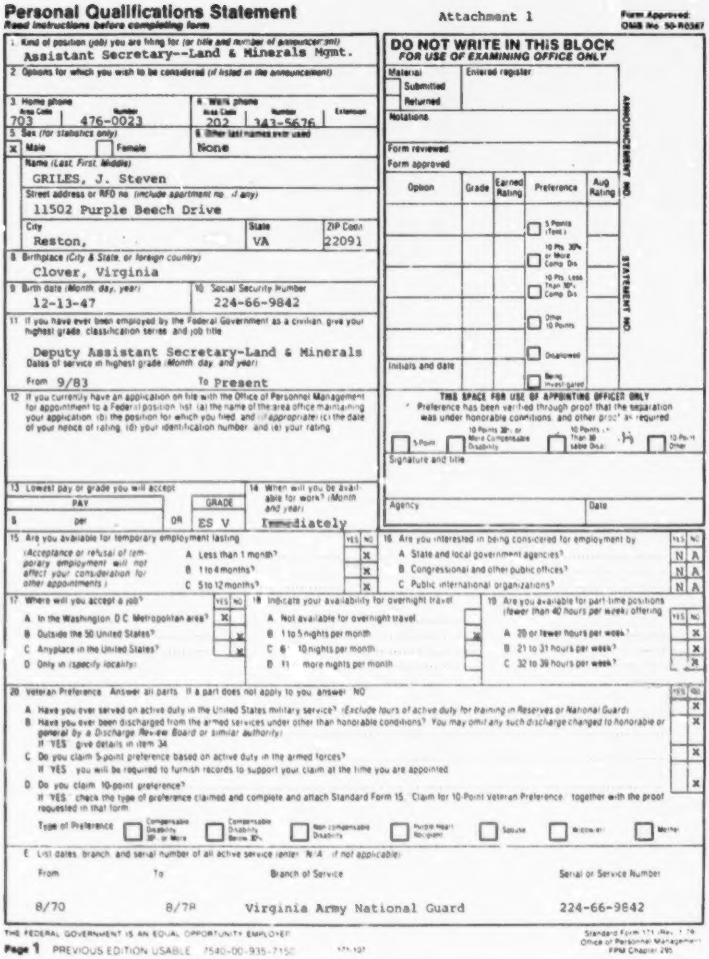
J Steven Griles
(Signature of Nominee)

Subscribed and sworn to before me this 19 day of November, 1985

Elizabeth J. Sherwood
Notary Public

My Commission Expires March 31, 1987

Form approved by the Committee February 5, 1985.



Personal Qualifications Statement
Read instructions before completing form

Attachment 1

Form Approved:
OMB No. 50-R0387

1 Kind of position (job) you are filing for *(or title and number of announcement)*
Assistant Secretary--Land & Minerals Mgmt.

2 Options for which you wish to be considered *(if listed in the announcement)*

3 Home phone — Area Code: 703 — Number: 476-0023

4 Work phone — Area Code: 202 — Number: 343-5676 — Extension:

5 Sex *(for statistics only)* ☒ Male ☐ Female

6 Other last names ever used: None

Name *(Last, First, Middle)*
GRILES, J. Steven

Street address or RFD no. *(include apartment no., if any)*
11502 Purple Beech Drive

City: Reston, — State: VA — ZIP Code: 22091

8 Birthplace *(City & State, or foreign country)*
Clover, Virginia

9 Birth date *(Month, day, year)*: 12-13-47

10 Social Security Number: 224-66-9842

11 If you have ever been employed by the Federal Government as a civilian, give your highest grade, classification series, and job title
Deputy Assistant Secretary-Land & Minerals
Dates of service in highest grade *(Month, day, and year)*
From 9/83 To Present

12 If you currently have an application on file with the Office of Personnel Management for appointment to a Federal position, list: (a) the name of the area office maintaining your application, (b) the position for which you filed, and *(if appropriate)* (c) the date of your notice of rating, (d) your identification number, and (e) your rating

13 Lowest pay or grade you will accept
PAY $ per OR GRADE ES V

14 When will you be available for work? *(Month and year)*
Immediately

DO NOT WRITE IN THIS BLOCK
FOR USE OF EXAMINING OFFICE ONLY

Material ☐ Submitted ☐ Returned

Entered register

Notations

Form reviewed
Form approved

Option	Grade	Earned Rating	Preference	Aug Rating
			☐ 5 Points (Tent.)	
			☐ 10 Pts. 30% or More Comp. Dis.	
			☐ 10 Pts. Less Than 30% Comp. Dis.	
			☐ Other 10 Points	
			☐ Disallowed	
Initials and date			☐ Being Investigated	

ANNOUNCEMENT NO.

STATEMENT NO.

THIS SPACE FOR USE OF APPOINTING OFFICER ONLY
Preference has been verified through proof that the separation was under honorable conditions, and other proof as required
☐ 5-Point ☐ 10 Points 30% or More Compensable Disability ☐ 10 Points Less Than 30% Compensable Disability ☐ 10 Point Other

Signature and title

Agency — Date

15 Are you available for temporary employment lasting *(Acceptance or refusal of temporary employment will not affect your consideration for other appointments.)*	YES	NO
A Less than 1 month?		X
B 1 to 4 months?		X
C 5 to 12 months?		X

16 Are you interested in being considered for employment by	YES	NO
A State and local government agencies?	N	A
B Congressional and other public offices?	N	A
C Public international organizations?	N	A

17 Where will you accept a job?	YES	NO
A In the Washington, D.C. Metropolitan area?	X	
B Outside the 50 United States?		X
C Anyplace in the United States?		X
D Only in *(specify locality)*		

18 Indicate your availability for overnight travel	
A Not available for overnight travel	
B 1 to 5 nights per month	X
C 6 to 10 nights per month	
D 11 or more nights per month	

19 Are you available for part-time positions *(fewer than 40 hours per week)* offering	YES	NO
A 20 or fewer hours per week?		X
B 21 to 31 hours per week?		X
C 32 to 39 hours per week?		X

20 Veteran Preference. Answer all parts. If a part does not apply to you, answer "NO"	YES	NO
A Have you ever served on active duty in the United States military service? *(Exclude tours of active duty for training in Reserves or National Guard)*		X
B Have you ever been discharged from the armed services under other than honorable conditions? *You may omit any such discharge changed to honorable or general by a Discharge Review Board or similar authority.* If "YES", give details in item 34		X
C Do you claim 5-point preference based on active duty in the armed forces? If "YES", you will be required to furnish records to support your claim at the time you are appointed		X
D Do you claim 10-point preference? If "YES", check the type of preference claimed and complete and attach Standard Form 15, "Claim for 10-Point Veteran Preference", together with the proof requested in that form		X

Type of Preference ☐ Compensable Disability 30% or More ☐ Compensable Disability Below 30% ☐ Non-compensable Disability ☐ Purple Heart Recipient ☐ Spouse ☐ Widow(er) ☐ Mother

E List dates, branch, and serial number of all active service *(enter "N/A" if not applicable)*

From	To	Branch of Service	Serial or Service Number
8/70	8/78	Virginia Army National Guard	224-66-9842

THE FEDERAL GOVERNMENT IS AN EQUAL OPPORTUNITY EMPLOYER

Page 1 PREVIOUS EDITION USABLE 7540-00-935-7150 171-107

Standard Form 171 (Rev. 1-79)
Office of Personnel Management
FPM Chapter 295

2

21 Experience Begin with current or most recent job or volunteer experience and work back. Account for periods of unemployment exceeding three months and your residence address at that time on the last line of the experience blocks in order of occurrence

May inquiry be made of your present employer regarding your character, qualifications, and record of employment? (A "NO" will not affect your consideration for employment opportunities except for Administrative Law Judge positions.) ☒ YES ☐ NO

A

Name and address of employer's organization (include ZIP code, if known)
US Department of the Interior
18th & C Streets, NW
Washington, DC 20240

Dates employed (give month and year) From 9/83 To present

Average number of hours per week 60

Salary or earnings ES V
Beginning $ 63,800 per yr
Ending $ 70,500 per yr

Place of employment City Washington State DC

Exact title of your position: Deputy Assnt Secy-Land & Minerals Management

Name of immediate supervisor: Donald P. Hodel

Area Code 202 Telephone number 343-7351

Number and kind of employees you supervise: 20 immediate staff

Kind of business or organization (manufacturing, accounting, social services, etc.): US Government

If Federal service, civilian or military series, grade or rank, and date of last promotion:

Your reason for wanting to leave: Opportunity/Challenge

Description of work (Describe your specific duties, responsibilities and accomplishments in this job): Direct responsibility for programs associated with land use planning, public land management, including onshore and offshore minerals management; development and management of effective fuel-related mineral data collection and analysis; operations management for minerals on the Outer Continental Shelf to the outer limits of the US economic jurisdiction; management of revenues from Federal Mineral leases; also serve as an advisor to the Secretary in Secretary's role as Chairman of the Cabinet Council on Natural Resources and the Environment; oversee Secretarial direction and supervision of the Bureau of Land Management, Minerals Management Service, and the Office of Surface Mining.

For agency use (skill codes, etc.)

B

Name and address of employer's organization (include ZIP code, if known)
US Department of the Interior
Office of Surface Mining and Reclamation
1951 Constitution Avenue, NW
Washington, DC 20241

Dates employed (give month and year) From 6/81 To 9/83

Average number of hours per week 50

Salary or earnings
Beginning $ ES III per
Ending $ ES IV per

Place of employment City Washington State DC

Exact title of your position: Deputy Director

Name of immediate supervisor: James R. Harris

Area Code 812 Telephone number 464-8338

Number and kind of employees you supervised: 15 immediate staff

Kind of business or organization (manufacturing, accounting, social services, etc.): US Government

If Federal service, civilian or military series, grade or rank, and date of last promotion:

Your reason for leaving: Promotion

Description of work (Describe your specific duties, responsibilities and accomplishments in this job): Principal advisor to the Director; managed the Surface Coal Mining and Reclamation Act that controls all coal mining to assure environmental protection and proper reclamation of lands disturbed. Revised regulations to remove inflexible design criteria and replaced with enforceable performance standards. Established working relationships with States and approved State programs so as to return primary enforcement of Act to the States; managed the agency on a day-to-day basis.

For agency use (skill codes, etc.)

C

Name and address of employer's organization (include ZIP code, if known)
US Department of the Interior
Office of Surface Mining and Reclamation
Washington, DC 20241

Dates employed (give month and year) From 3/81 To 6/81

Average number of hours per week 50

Salary or earnings
Beginning $ ES I per
Ending $ ES III per

Place of employment City Washington, State DC

Exact title of your position: Assistant Director--Inspection & Enforcement

Name of immediate supervisor: Andrew Bailey

Area Code 703 Telephone number 285-2220

Number and kind of employees you supervised: 10

Kind of business or organization (manufacturing, accounting, social services, etc.): US Government

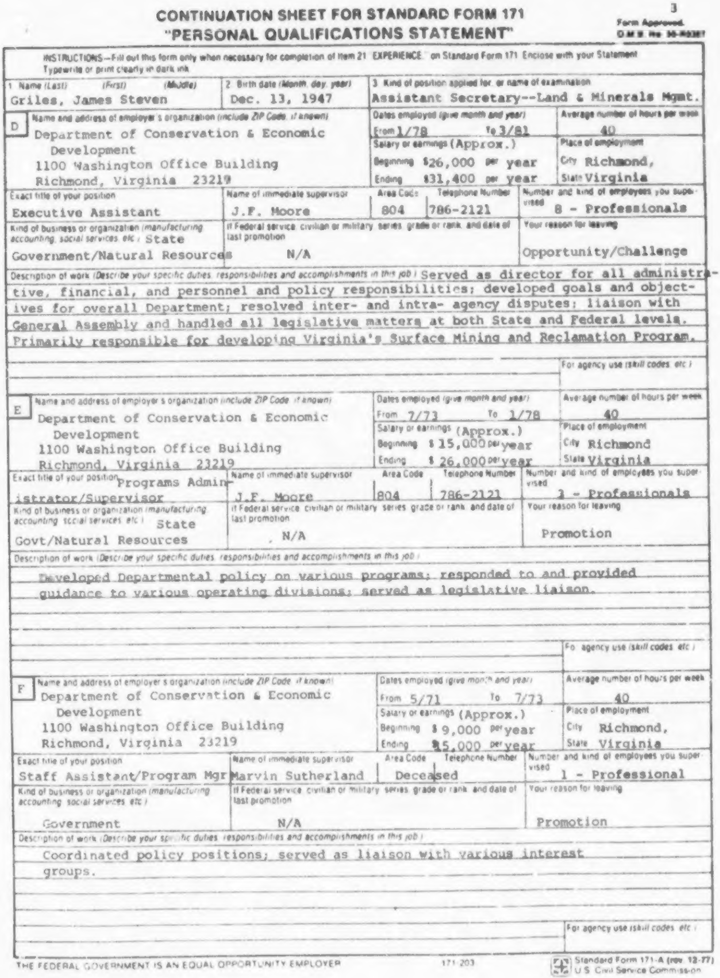
If Federal service, civilian or military series, grade or rank, and date of last promotion:

Your reason for leaving: Promotion

Description of work (Describe your specific duties, responsibilities and accomplishments in this job): Principal advisor to the Director on managing the Surface Mining and Reclamation Act; developed overall administrative framework for revising inspection and enforcement regulations.

For agency use (skill codes, etc.)

If you need additional experience blocks, use Standard Form 171-A or blank sheets of paper
SEE INSTRUCTION SHEET



3

Form Approved.
O.M.B. No. [illegible]

CONTINUATION SHEET FOR STANDARD FORM 171
"PERSONAL QUALIFICATIONS STATEMENT"

INSTRUCTIONS—Fill out this form only when necessary for completion of Item 21 "EXPERIENCE" on Standard Form 171. Enclose with your Statement. Typewrite or print clearly in dark ink.

1 Name (Last) (First) (Middle): Griles, James Steven
2 Birth date (Month, day, year): Dec. 13, 1947
3 Kind of position applied for, or name of examination: Assistant Secretary--Land & Minerals Mgmt.

D

Name and address of employer's organization (include ZIP Code, if known):
Department of Conservation & Economic
Development
1100 Washington Office Building
Richmond, Virginia 23219

Dates employed (give month and year): From 1/78 To 3/81
Average number of hours per week: 40
Salary or earnings (Approx.): Beginning $26,000 per year; Ending $31,400 per year
Place of employment: City Richmond, State Virginia
Exact title of your position: Executive Assistant
Name of immediate supervisor: J.F. Moore
Area Code: 804 Telephone Number: 786-2121
Number and kind of employees you supervised: 8 - Professionals
Kind of business or organization (manufacturing, accounting, social services, etc.): State Government/Natural Resources
If Federal service, civilian or military, series, grade or rank, and date of last promotion: N/A
Your reason for leaving: Opportunity/Challenge

Description of work (Describe your specific duties, responsibilities and accomplishments in this job.) Served as director for all administrative, financial, and personnel and policy responsibilities; developed goals and objectives for overall Department; resolved inter- and intra- agency disputes; liaison with General Assembly and handled all legislative matters at both State and Federal levels. Primarily responsible for developing Virginia's Surface Mining and Reclamation Program.

For agency use (skill codes, etc.)

E

Name and address of employer's organization (include ZIP Code, if known):
Department of Conservation & Economic
Development
1100 Washington Office Building
Richmond, Virginia 23219

Dates employed (give month and year): From 7/73 To 1/78
Average number of hours per week: 40
Salary or earnings (Approx.): Beginning $15,000 per year; Ending $26,000 per year
Place of employment: City Richmond, State Virginia
Exact title of your position: Programs Administrator/Supervisor
Name of immediate supervisor: J.F. Moore
Area Code: 804 Telephone Number: 786-2121
Number and kind of employees you supervised: 3 - Professionals
Kind of business or organization (manufacturing, accounting, social services, etc.): State Govt/Natural Resources
If Federal service, civilian or military, series, grade or rank, and date of last promotion: N/A
Your reason for leaving: Promotion

Description of work (Describe your specific duties, responsibilities and accomplishments in this job.)
Developed Departmental policy on various programs; responded to and provided guidance to various operating divisions; served as legislative liaison.

For agency use (skill codes, etc.)

F

Name and address of employer's organization (include ZIP Code, if known):
Department of Conservation & Economic
Development
1100 Washington Office Building
Richmond, Virginia 23219

Dates employed (give month and year): From 5/71 To 7/73
Average number of hours per week: 40
Salary or earnings (Approx.): Beginning $9,000 per year; Ending $15,000 per year
Place of employment: City Richmond, State Virginia
Exact title of your position: Staff Assistant/Program Mgr
Name of immediate supervisor: Marvin Sutherland
Area Code / Telephone Number: Deceased
Number and kind of employees you supervised: 1 - Professional
Kind of business or organization (manufacturing, accounting, social services, etc.): Government
If Federal service, civilian or military, series, grade or rank, and date of last promotion: N/A
Your reason for leaving: Promotion

Description of work (Describe your specific duties, responsibilities and accomplishments in this job.)
Coordinated policy positions; served as liaison with various interest groups.

For agency use (skill codes, etc.)

THE FEDERAL GOVERNMENT IS AN EQUAL OPPORTUNITY EMPLOYER 171-203

Standard Form 171-A (rev. 12-77)
U.S. Civil Service Commission

4

G Name and address of employer's organization (include ZIP Code, if known)
Department of Conservation and Economic Development
1100 Washington Office Building
Richmond, Virginia 23219

Dates employed (give month and year) From 6/69 To 5/71

Average number of hours per week Part-time

Salary or earnings (Approx.) Beginning $1.50 per hour Ending $8,600 per year

Place of employment City Richmond, State Virginia

Exact title of your position Water Resources Technician

Name of immediate supervisor Robert McCloskey

Area Code Telephone Number Unknown

Number and kind of employees you supervised None

Kind of business or organization (manufacturing, accounting, social services, etc.) Government

If Federal service, civilian or military: series, grade or rank, and date of last promotion N/A

Your reason for leaving Promotion

Description of work (Describe your specific duties, responsibilities and accomplishments in this job.)
Field analysis and program planning of water quantity resources in the State of Virginia.

For agency use (skill codes, etc.)

☐ Name and address of employer's organization (include ZIP Code, if known)

Dates employed (give month and year) From To

Average number of hours per week

Salary or earnings Beginning $ per Ending $ per

Place of employment City State

Exact title of your position

Name of immediate supervisor

Area Code Telephone Number

Number and kind of employees you supervised

Kind of business or organization (manufacturing, accounting, social services, etc.)

If Federal service, civilian or military: series, grade or rank, and date of last promotion

Your reason for leaving

Description of work (Describe your specific duties, responsibilities and accomplishments in this job.)

For agency use (skill codes, etc.)

☐ Name and address of employer's organization (include ZIP Code, if known)

Dates employed (give month and year) From To

Average number of hours per week

Salary or earnings Beginning $ per Ending $ per

Place of employment City State

Exact title of your position

Name of immediate supervisor

Area Code Telephone Number

Number and kind of employees you supervised

Kind of business or organization (manufacturing, accounting, social services, etc.)

If Federal service, civilian or military: series, grade or rank, and date of last promotion

Your reason for leaving

Description of work (Describe your specific duties, responsibilities and accomplishments in this job.)

For agency use (skill codes, etc.)

SF 171-A (rev. 12-77) Back

Attach Supplemental Sheets or Forms Here

22 A Special qualifications and skills (skills with machines, patents or inventions, your most important publications [do not submit copies unless requested], your public speaking and publications experience, membership in professional or scientific societies, etc.)

Government Executive - March 1983 - "Collecting Commercial Debts Through Private Sector Firms."

B Kind of license or certificate (pilot, registered nurse, lawyer, radio operator, CPA, etc.)	C Latest license or certificate Year	State or other licensing authority	D Approximate number of words per minute Typing	Shorthand
N/A	N/A		N/A	N/A

23 A Did you graduate from high school or will you graduate within the next nine months, or do you have a GED high school equivalency certificate?

Yes	Month and Year	No	Highest grade completed
x	June 1966		

B Name and location (city and State) of latest high school attended

Halifax County High School
South Boston, Virginia

C Name and location (city, State and ZIP Code, if known) of college or university (If you expect to graduate within nine months, give MONTH and YEAR you expect to receive your degree)	Dates Attended		Years Completed		No. of Credits Completed		Type of Degree (e.g. B.A.)	Year of Degree
	From	To	Day	Night	Semester Hours	Quarter Hours		
University of Richmond, Richmond, VA	6/66	6/70	4		145		B.A.	1970
Virginia Commonwealth University	1/75	6/75	-		3		-	

D Chief undergraduate college subjects	No. of Credits Completed Semester Hours	Quarter Hours	E Chief graduate college subjects	No. of Credits Completed Semester Hours	Quarter Hours
Psychology	36		Management	3	
Economic	9				

F Major field of study at highest level of college work

G Other schools or training (for example, trade, vocational, Armed Forces, or business). Give for each the name and location (city, State and ZIP Code, if known) of school, dates attended, subjects studied, number of classroom hours of instruction per week, certificate, and any other pertinent data

N/A

24 Honors, awards, and fellowships received

N/A

25 Languages other than English. List the languages (other than English) in which you are proficient and indicate your level of proficiency by putting a check mark (✓) in the appropriate columns. Candidates for positions requiring conversational ability in a language other than English may be given an interview conducted solely in that language. Describe in item 34 how you gained your language skills and the amount of experience you have had (e.g., completed 72 hours of classroom training, spoke language at home for 18 years, self taught, etc.)

Name of Language(s)	PROFICIENCY							
	Can Prepare and Deliver Lectures		Can Converse		Have Facility to Translate Articles, Technical Materials, etc.		Can Read Articles, Technical Materials, etc. for Own Use	
	Fluently	With Difficulty	Fluently	Passably	Into English	From English	Easily	With Difficulty
N/A								

26 References. List three persons who are NOT related to you and who have definite knowledge of your qualifications and fitness for the position for which you are applying. Do not repeat names of supervisors listed under Item 21, Experience.

Full Name	Present Business or Home Address (Number, Street, City, State and ZIP Code)	Telephone Number (include Area Code)	Business or Occupation
John L. Kilcullen, Esq.	1800 M St., NW - Suite 600N Washington, DC 20036	202-296-5700	Attorney
Al Honkala	13415 Woodbriar Ridge Midlothian, VA 23113	804-744-1703	Geologist
William P. Clark	1031 Pine Street Paso Robles, CA 93446	805-331-7760	Consultant

Answer items 27 through 33 by placing an "X" in the proper column	YES	NO
27 Are you a citizen of the United States? If "NO," give country of which you are a citizen		
NOTE A conviction or a firing does not necessarily mean you cannot be appointed. The circumstances of the occurrence(s) and how long ago it (they) occurred are important. Give all the facts so that a decision can be made.		
28 Within the last five years have you been fired from any job for any reason?		X
29 Within the last five years have you quit a job after being notified that you would be fired? If your answer to 28 or 29 above is "YES," give details in Item 34. Show the name and address (including ZIP Code) of employer, approximate date, and reasons in each case. This information should agree with your answers in Item 21, Experience.		X
30 A Have you **ever** been convicted, forfeited collateral, or are you now under charges for **any felony** or **any** firearms or explosives offense against the law? (*A felony is defined as any offense punishable by imprisonment for a term exceeding one year, but does not include any offense classified under the laws of a State as a misdemeanor which is punishable by a term of imprisonment of two years or less.*)		X
B During the past seven years have you been convicted, imprisoned, on probation or parole, or forfeited collateral, or are you now under charges for any offense against the law not included in A above?		X
NOTE When answering A and B above, you may omit: (1) traffic fines for which you paid a fine of $50.00 or less; (2) any offense committed before your 18th birthday which was finally adjudicated in a juvenile court or under a youth offender law; (3) any conviction the record of which has been expunged under Federal or State law; and (4) any conviction set aside under the Federal Youth Corrections Act or similar State authority.		
31 While in the military service were you ever convicted by a general court martial? If your answer to 30A, 30B, or 31 is "YES," give details in Item 34. Show for each offense: (1) date; (2) charge; (3) place; (4) court; and (5) action taken.		X
32 Does the United States Government employ in a civilian capacity or as a member of the Armed Forces any relative of yours (by birth or marriage)? (*See Item 32 in the attached instruction sheet.*) If your answer to 32 is "YES," give in Item 34 for such relatives: (1) name; (2) present address (including ZIP Code); (3) relationship; (4) department, agency, or branch of the armed forces.	X	
33 Do you receive, or do you have pending, application for retirement or retainer pay, pension, or other compensation based upon military, Federal civilian, or District of Columbia Government service? If your answer to 33 is "YES," give details in Item 34. If military retired pay, include the rank at which you retired.		X

Your Statement cannot be processed until you have answered all questions, including items 27 through 33 above.
Be sure you have placed an "X" to the left of EVERY marker (◀) above, either in the "YES" or "NO" column.

34 Item No.	Space for detailed answers. Indicate item numbers to which the answers apply.
32	Mary L. Griles (Casey) 11502 Purple Beech Drive Reston, VA 22091 Wife - U.S. Geological Survey

If more space is required, use full sheets of paper approximately the same size as this page. Write on each sheet your name, birth date, and announcement or position title. Attach all sheets to this Statement at the top of page 3.

ATTENTION—THIS STATEMENT MUST BE SIGNED

Read the following paragraphs carefully before signing this Statement

A false answer to any question in this Statement may be grounds for not employing you, or for dismissing you after you begin work, and may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001). All the information you give will be considered in reviewing your Statement.

AUTHORITY FOR RELEASE OF INFORMATION

I have completed this Statement with the knowledge and understanding that any or all items contained herein may be subject to investigation prescribed by law or Presidential directive and I consent to the release of information concerning my capacity and fitness by employers, educational institutions, law enforcement agencies, and other individuals and agencies, to duly accredited investigators, Personnel Staffing Specialists, and other authorized employees of the Federal Government for that purpose.

CERTIFICATION	SIGNATURE (sign in ink)	DATE
I certify that all of the statements made by me are true, complete and correct to the best of my knowledge and belief, and are made in good faith.		

BEST COPY AVAILABLE

SF 278 (Rev. [illegible])
FPM Chapter 734
U.S. Office of Personnel Management

Financial Disclosure Report

Form Approved
OMB No. [illegible]

Page 1

RECEIVED
NOV [illegible] 1985
ETHICS OFFICE

Reporting Status (Check Appropriate Box) ☐ Incumbent	☒ New Entrant, Nominee, or Candidate ☐ Termination Filer	OGE Use Only	Date of [illegible] Nomination (Mo., Day, Yr.) November 6, 1985
			Termination Date (If Applicable) (Month, Day, Year)
Reporting Individual's Name	Last Name GRILES	First Name and Middle Initial J. STEVEN	
Position for Which Filing	Title of Position Assistant Secretary--Land and Minerals Management	Department or Agency (If Applicable) U.S. Department of the Interior	
Location of Present Office	Address (Number, Street, City, State and ZIP Code) 18th & C Streets, N.W. Washington, D.C. 20240	Telephone No. (Include Area Code) (202) 343-5676	
Position(s) Held With the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held Deputy Assistant Secretary--Land and Minerals Management U.S. Department of the Interior		
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination Committee on Energy and Natural Resources	Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No	
Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.	Signature of Reporting Individual J Steven Griles	Date (Month, Day, Year) November 6, 1985	
Other Review (If desired by agency)	Signature of Other Reviewer	Date (Month, Day, Year)	
Agency Ethics Official's Opinion The information contained in this report discloses no conflict of interest under applicable laws and regulations	Signature of Designated Agency Ethics Official/Reviewing Official	Date (Month, Day, Year)	
Office of Government Ethics Use Only	Signature	Date (Month, Day, Year)	

Reporting Periods

Incumbents: Complete Schedules A, B, C, and Part I of D. The reporting period is the preceding calendar year except for Part II of Schedule C and Part I of Schedule D where you must also include any positions held or agreements or arrangements made from the beginning of the filing year until the date you file.

Termination Filers: Complete Schedules A, B, C, and Part I of D. The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination.

Nominees, New Entrants and Candidates for President and Vice President: Complete Schedules A, C, and D. (Candidates do not file Part II of Schedule D.)

- **Schedule A**—The reporting period for Income (BLOCK C) and Transactions Test (BLOCK D) is the preceding calendar year and the current calendar year up to the date of filing. Value assets in BLOCK B as of any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part I** (Liabilities)—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part II** (Agreements and Arrangements)—Show any agreements or arrangements as of the date of filing.
- **Schedule D**—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

This report covers the period January 1, 1984 through November 6, 1985.

(Check box if comments are continued on the reverse side) ☐

PREVIOUS EDITION USABLE

278-108

79

BEST COPY AVAILABLE

SF 278 (Rev. 1/85)
FPM Chapter 734
U.S. Office of Personnel Management

Form Approved
OMB No. 3209-0001

Reporting Individual's Name

J. Steven Griles

Assets and Income

Page Number 2

Schedule A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the actual amount of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

	BLOCK A Assets & Income Sources		BLOCK B Valuation of Assets							BLOCK C Income																	BLOCK D Transactions Test	
	Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐		Category of Value (X)							Type of Income (X)							Category of Amount of Income (X)										If yes, complete Sched. B Part I for those assets (excluding those sold for a loss).	
	S or DC		None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000	Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	YES	NO
Examples		X Y Z Common				X				X									X								X	
		Doe Jones & Smith, Hometown, USA			X											partnership income									[illegible]			
1	S	Cardinal Savings and Loan		X						X							X											
2	S	U.S. Geological Survey														Salary												
3	S	U.S. Dept. of Interior Credit Union		X								X						X										
4		U.S. Dept. of Interior Credit Union		X								X						X										
5		Dept. of Interior Cr. Union IRA*		X								X						X										
6		E.F. Hutton (Mutual Fund)		X						X								X										
7		Central Life Assurance			X												X											
8		E.F. Hutton - IRA		X								X						X										
9																												
10																												

*In August 1985, this IRA was terminated and the assets were transferred to the E.F. Hutton - IRA shown on line 8.

PREVIOUS EDITION USABLE

80

SF 278 (Rev. 1/86)
FPM Chapter 734
U.S. Office of Personnel Management

Form Approved
OMB No. 3209-0001

Reporting Individual's Name		Page Number		Schedule
J. Steven Griles	**Assets and Income**		3	A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the **actual amount** of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

BLOCK A — Assets & Income Sources

Identify each asset and income source of yours, your spouse(S) and your dependent child (DC).

NONE ☐

BLOCK B — Valuation of Assets — Category of Value (X)

S or DC	BLOCK A	None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000
Example	X Y Z Common				x			
	Doe Jones & Smith, Hometown, USA			x				
1 S	E.F. Hutton - IRA		X					
2	Multi-State Tax Exempt Trust-Virginia Series			X				
3								
4								
5								
6								
7								
8								
9								
10								

BLOCK C — Income — Type of Income (X)

	BLOCK A	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify Type)
Example	X Y Z Common	x						
	Doe Jones & Smith, Hometown, USA							Partnership Income
1 S	E.F. Hutton - IRA			X				
2	Multi-State Tax Exempt Trust-Virginia Series			X				
3								
4								
5								
6								
7								
8								
9								
10								

BLOCK C — Income — Category of Amount of Income (X); **BLOCK D** — Transactions Test (If yes, complete Sched. B Part I for these assets (excluding those sold for a loss))

	BLOCK A	None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000	Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	YES	NO
Example	X Y Z Common			x								x	
	Doe Jones & Smith, Hometown, USA									$60,000			
1 S	E.F. Hutton - IRA		X										
2	Multi-State Tax Exempt Trust-Virginia Series		X										
3													
4													
5													
6													
7													
8													
9													
10													

PREVIOUS EDITION USABLE

278-200

81

SF 278 (Rev. 1/89)
5 CFR Chapter XVI
U.S. Office of Personnel Management

Form Approved
OMB No. 3209-0001

Reporting Individual's Name
J. Steven Griles

Page Number	4	Schedule B

Part I
Transactions

Incumbents and Termination Filers only: Report any purchase, sale or exchange by you, your spouse or dependent child during the reporting period of any real property, stocks, bonds, commodities futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction between you, your spouse or your dependent child.

NONE ☐

S or DC		Identification of Assets	Type of Transaction (X)				Amount of Transaction (X)					
			Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000
	Example	X Y Z Common	X			[illegible]			X			
1		NOT APPLICABLE										
2												
3												
4												
5												
6												

Part II
Gifts, Reimbursements and Travel Expenses

Incumbents and Termination Filers only: Report the source, a brief description and the value of: (1) in-kind gifts of transportation, lodging, food or entertainment received from one source totaling $250 or more unless received as personal hospitality at the donor's personal or family residence; (2) other gifts received from one source totaling $100 or more in value; and (3) cash reimbursements of $250 or more received from one source. Exclude gifts and reimbursements received by your spouse that were given totally independent of their relationship to you. Exclude transportation, lodging, food and reimbursements from the U.S. Government. For (1) and (2), exclude gifts from relatives and exclude gifts of $35 or less when aggregating them for the total from one source. See instructions for further exclusions.

NONE ☐

S		Source (Name and Address)	Brief Description	Value
	Example	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference [illegible]	[illegible]
	Example	Nat'l Assn. of Rock Collectors, NY, NY	Leather briefcase for [illegible]	[illegible]
1		NOT APPLICABLE		
2				
3				
4				
5				
6				

PREVIOUS EDITION USABLE

82

Y4. En2: S.hrg. 99-440

S. Hrg. 99-440

TARR AND GRILES NOMINATIONS

mf 128 ORIGINAL

COMPLETED
181

HEARING

BEFORE THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

NINETY-NINTH CONGRESS

FIRST SESSION

ON THE

NOMINATION OF RALPH W. TARR TO BE SOLICITOR, DEPARTMENT OF THE INTERIOR, AND J. STEVEN GRILES TO BE ASSISTANT SECRETARY FOR LAND AND MINERALS MANAGEMENT, DEPARTMENT OF THE INTERIOR

DECEMBER 4, 1985

Printed for the use of the
Committee on Energy and Natural Resources

57-309 O

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1986

I

COMMITTEE ON ENERGY AND NATURAL RESOURCES

JAMES A. McCLURE, Idaho, *Chairman*

MARK O. HATFIELD, Oregon
LOWELL P. WEICKER, Jr., Connecticut
PETE V. DOMENICI, New Mexico
MALCOLM WALLOP, Wyoming
JOHN W. WARNER, Virginia
FRANK H. MURKOWSKI, Alaska
DON NICKLES, Oklahoma
CHIC HECHT, Nevada
DANIEL J. EVANS, Washington

J. BENNETT JOHNSTON, Louisiana
DALE BUMPERS, Arkansas
WENDELL H. FORD, Kentucky
HOWARD M. METZENBAUM, Ohio
JOHN MELCHER, Montana
BILL BRADLEY, New Jersey
JEFF BINGAMAN, New Mexico
JOHN D. ROCKEFELLER IV, West Virginia

Frank M. Cushing, *Staff Director*
Gary G. Ellsworth, *Chief Counsel*
D. Michael Harvey, *Chief Counsel for the Minority*

CONTENTS

STATEMENTS

Page

Griles, J. Steven, nominee to be Assistant Secretary for Land and Minerals Management, Department of the Interior 17
McClure, Hon. James A., a U.S. Senator from the State of Idaho 1
Tarr, Ralph W., nominee to be Solicitor, Department of the Interior 4
Wallop, Hon. Malcolm, a U.S. Senator from the State of Wyoming 38
Warner, Hon. John W., a U.S. Senator from the State of Virginia 15
Wilson, Hon. Pete, a U.S. Senator from the State of California 2

APPENDIXES

Appendix I

Biographical and informational statements of:
  Ralph W. Tarr 43
  J. Steven Griles 64

Appendix II

Responses to additional committee questions from:
  Ralph W. Tarr 90
  J. Steven Griles 99

Appendix III

Additional material submitted for the record 162

TARR AND GRILES NOMINATIONS

WEDNESDAY, DECEMBER 4, 1985

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The committee met, pursuant to notice, at 9:35 a.m., in room SD-366, Dirksen Senate Office Building, Hon. James A. McClure, chairman, presiding.

Present: Senators McClure, Wallop, Nickles, Hecht, Bumpers, Ford, Metzenbaum, and Bingaman.

Also present: James P. Beirne, senior counsel; D. Michael Harvey, chief counsel for the minority; and Patricia J. Beneke, counsel for the minority.

OPENING STATEMENT OF HON. JAMES A. McCLURE, A U.S. SENATOR FROM THE STATE OF IDAHO

The CHAIRMAN. The committee will come to order.

Today the committee will receive testimony on two nominations for the Department of the Interior—Ralph W. Tarr to be Solicitor, and J. Steven Griles to be Assistant Secretary for Land and Minerals Management. As previously announced, the committee was to have received testimony with respect to the nomination of Gerald Ralph Riso to be Assistant Secretary for Policy, Budget and Administration for the Department of the Interior. Unfortunately, due to a death in his family, Mr. Riso is unable to appear before the committee today. I would like to express our deepest sympathy and condolences to Mr. Riso and announce that the committee will reschedule a hearing to consider his nomination in the very near future.

Our first nominee, Ralph W. Tarr, is currently Principal Deputy Assistant Attorney General, Office of Legal Counsel, U.S. Department of Justice. He has served the Department since September 1982 where he also was designated as Acting Assistant Attorney General in charge of the Office of Legal Counsel. Previously he practiced law in a private firm where he was elected a shareholder, director, and vice president, as well as a member of the firm's executive committee.

Our second nominee today is J. Steven Griles. Mr. Griles has served the administration at the Department of the Interior since 1981, where he was Deputy Director, Office of Surface Mining, Deputy Assistant Secretary, and currently Acting Assistant Secretary of Land and Minerals Management.

Prior to joining the Department of the Interior, Mr. Griles served the State of Virginia in its conservation and economic department.

At this time I would like to recognize our distinguished colleague from California, the junior Senator from California, Mr. Wilson, who will introduce Mr. Tarr.

STATEMENT OF HON. PETE WILSON, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

Senator Wilson. Thank you very much, Mr. Chairman. I am delighted to have the opportunity to introduce to you and to the committee Mr. Ralph Tarr who has, as you have indicated, been nominated by the President to serve as Solicitor for the Department of the Interior.

As you have noted, Mr. Chairman, Mr. Tarr possesses the credentials to bring a very high level of expertise to the position of Solicitor General. He has had a diverse legal background, combined with a distinguished record of public service.

Mr. Tarr joined the Reagan administration in 1982, as you have noted, in the role of Principal Deputy Assistant Attorney General in the Office of Legal Counsel for the U.S. Department of Justice. His most recent posting has been with the Office of the Assistant Attorney General, where he was Acting Assistant Attorney General from November 1984 through November of this year. He currently serves as Deputy in that office.

Prior to entering Government service on the Federal level, Mr. Tarr served as a law clerk to the Honorable George Brown, presiding justice of the California Court of Appeals in the Fifth Appellate District. He became an associate with the law firm of Baker, Manock & Jensen in Fresno, CA, in 1977. And in 1981, as you have indicated, was elected shareholder, director, and vice president as well as a member of the firm's executive committee. His emphasis while there at Manock & Jensen was on business and personal injury litigation.

Mr. Tarr was born and raised in Bakersfield, CA. He graduated from Dartmouth College magna cum laude, Phi Beta Kappa, with a B.A. degree in Government.

Following graduation, he returned to California and served for nearly 3 years as a staff assistant to then Gov. Ronald Reagan. He also earned a master's degree in public administration from California State University in Sacramento in 1973.

Mr. Tarr received his doctor juris degree from Hastings College of Law at the University of California in San Francisco. While at Hastings, he was recognized for his high scholarship by membership in the Order of the Coif and the Thurston Society and served on the editorial review board of the Hastings Law Journal.

During 1976 Mr. Tarr served as an extern for the Honorable William P. Clark, Jr., then associate justice of the California Supreme Court.

Ralph Tarr's legal qualifications and his wide range of experience make him ideally suited for the position of Solicitor for the Department of the Interior. Throughout his career he has demonstrated a high level of skill, dedication, and loyalty.

He will bring to this office not only a thorough understanding of the law, but equally important, a working knowledge of how to apply that law in practice.

Mr. Chairman, I will take no more of the committee's time. I would simply conclude by urging the committee to accept the nomination and pass it to the floor of the Senate, where we may have an early vote for confirmation.

Thank you.

The **Chairman**. Thank you very much, Senator Wilson. We very much appreciate your testimony, as I'm sure the nominee does as well.

Are there any questions of Senator Wilson?

[No response.]

The **Chairman**. I thank you very much.

Mr. Tarr, you may proceed.

Senator **Wilson**. Mr. Chairman, I would point out that Mr. Tarr comes armed this morning with great moral support from his lovely wife whom I think we should introduce.

The **Chairman**. Surely. We are very, very happy to have you with us, Linda.

Senator **Wilson**. Thank you, Mr. Chairman.

The **Chairman**. Mr. Tarr, the rules of the committee which apply to all nominees require that they be sworn in connection with their testimony. Will you please rise and raise your right hand?

[Whereupon, Ralph W. Tarr was duly sworn by the chairman.]

The **Chairman**. Please be seated.

Before you begin your statement, there are four questions which we ask to all witnesses who are nominated to positions requiring confirmation. I would like to ask these questions of you.

Will you be available to appear before this committee and other congressional committees to represent departmental positions and respond to issues of concern to the Congress?

Mr. **Tarr**. I will.

The **Chairman**. Your informational statement has been submitted to the committee. However, it is required that this statement be made public unless the committee decides that special circumstances justify an exception.

Do you have any objection to the publication of your informational statement?

Mr. **Tarr**. No objection.

The **Chairman**. Are you aware of any personal holdings, investments, or interests that could constitute a conflict of interest or create the appearance of such a conflict, should you be confirmed and assume the office to which you have been nominated by the President.

Mr. **Tarr**. I would point out, Mr. Chairman, that on my questionnaire I have noted, and the Department of the Interior's ethics official has noted, the ownership of some shares in Diamond Shamrock Corp., which is in the type of business that is prohibited for holdings of a person who acts as Solicitor. And I pledge to the committee that, if confirmed, I will divest myself of the Diamond Shamrock Corp. stock.

The **Chairman**. Are you involved in or do you have any assets held in blind trusts?

Mr. **Tarr**. No, I don't.

The **Chairman**. You may proceed with your statement.

STATEMENT OF RALPH W. TARR, NOMINEE TO BE SOLICITOR, DEPARTMENT OF THE INTERIOR

Mr. TARR. Thank you.

Mr. Chairman, members of the committee, I'm honored to appear before you as President Reagan's nominee to be Solicitor, Department of the Interior.

I would first like to thank Senator Wilson very much for his kind words on my behalf and for taking the time to be here this morning to introduce me to you.

If I might also take one moment to introduce, by name, my wife, who has been kind enough as usual to be my moral supporter, Dr. Linda Tarr, sitting in the front row.

The CHAIRMAN. We're very, very happy to have you with us.

Mr. TARR. I would be happy to submit my written statement for the record, Mr. Chairman.

The CHAIRMAN. It will be placed in the record.

Mr. TARR. Thank you.

If I might just add the high points of the statement that I would like to make clear to the committee. I appreciate the significance of the Office of Solicitor and the importance of the legal issues that I will be asked to provide advice to the Department upon.

In that regard, I am also eager to have the committee be aware that I will do all that I can to assist Secretary Hodel in the furtherance of his policy of consensus, consultation and accord on the broad policy issues that face the Department of the Interior.

I also am quite knowledgeable about the need for a close working relationship with the Congress and I look forward, if confirmed, to working with all of you on the committee and with other Members of Congress on what are some very difficult issues.

Finally, I would just point out that, having worked as a trial attorney, I understand that litigation is not the final answer to everything, and that it is best to take whatever steps we can to try to resolve issues without the need for litigation, and even if litigation ensues, to try to continue efforts at settlement in hopes that at least the issues are confined to some degree and some time and effort is saved. But I think that effort at settlement and those efforts at negotiation are important to the Secretary's efforts to try to reach a national consensus in this area.

Once again, I am pleased to appear before you today and would be happy to answer any questions.

The CHAIRMAN. Thank you very much, Mr. Tarr.

[The prepared statement of Mr. Tarr follows:]

STATEMENT OF RALPH W. TARR, NOMINEE TO BE SOLICITOR, DEPARTMENT OF THE INTERIOR

DECEMBER 4, 1985

Mr. Chairman and Members of the Committee, I am honored to appear before you as President Reagan's nominee to be Solicitor, Department of the Interior.

In my view, the position of Solicitor is one of the most significant, challenging, and interesting positions in the Executive Branch. It is the duty of the Solicitor, as the chief legal adviser to the Department of the Interior, to provide counsel to the Secretary and the rest of the Department on how various legal issues affect the Department's management of this Nation's land, mineral, wildlife, and water resources. These matters directly affect the daily lives of millions of Americans, particularly in my home region, the West, and are of tremendous importance to all Americans. As you well know, these matters therefore engender considerable public debate, and the legal issues associated with them are often complex or difficult.

At the same time, these issues are fascinating and close to home. During my childhood in the San Joaquin Valley of California, which included frequent family visits to nearby Yosemite, Sequoia and Kings Canyon National Parks, fishing trips with my father, and family automobile trips throughout California and the United States, I developed a strong love of the outdoors and appreciation for this Nation's wildlife and natural resources. Those interests have continued to guide my life choices from selecting the beautiful natural setting of Dartmouth College for my undergraduate education, to returning to the Central Valley of California after law school, to last week's Thanksgiving holiday spent in the Maryland countryside near Frederick, including a visit to Harper's Ferry National Historic Park and views of the Shenandoah and Potomac Rivers involving three different states. These experiences have been and continue to be an integral part of my life. Accordingly, I have a strong belief that we must conserve for future generations the opportunity for the same such experiences. At the same time, we must provide future generations with the same kind of opportunity for the quality of life that we enjoy today and for economic achievement that has characterized the history of this Nation.

I believe that my educational background and experience have prepared me well to assume the duties of Solicitor. Although those matters are chronicled in my response to the Committee's questionnaire, I would generally refer to my formal graduate level education in public administration and law, and my broad experience in government and the private sector and in a legal and a non-legal capacity. It has been a particular privilege, and an education, to serve in both the California State Government, working closely with then Governor Ronald Reagan, and more recently in the United States government. With regard to the latter, I have had the honor of serving since 1982 as Principal Deputy Assistant Attorney General in the Office of Legal Counsel, Department of Justice, including a year as Acting Assistant Attorney General in charge of that Office under two different Attorneys General. This experience has been invaluable because of its unique perspective permitting exposure to the entirety of the Executive Branch and its interactions with the other two branches of the government. Thus, I have acquired not only substantive legal background involving issues affecting the federal government as a whole and the various agencies individually, but also what I hope is a broad understanding of the mechanics of the federal government.

In this regard, I am keenly aware that more than just cooperation within the Department of the Interior and the Executive Branch is required for successful administration of the Department. A close working relationship with Congress is also necessary. In carrying out the duties of Solicitor, if confirmed, I look forward to working closely with the Members of this Committee and other Members of Congress. I believe that such cooperation, effected with mutual appreciation for the respective functions of the two branches, is essential to dealing successfully with the issues involving America's natural resources.

Even broader cooperation is necessary, however, to achieve Secretary Hodel's goal of a national consensus on the broad policy matters within the jurisdiction of the Department. At his own confirmation hearing before this Committee, Secretary Hodel announced that his administration of the Department of the Interior would be characterized by a policy of consultation, consensus, and accord with regard to the issues he would face in carrying out his responsibilities as Secretary. As Solicitor I would seek to assist the Secretary in implementing this policy.

This policy is consistent with my basic approach to analysis of legal issues: to consider carefully the various conflicting legal positions before reaching a conclusion. Hearing and evaluating the best arguments that can be made with regard to any legal issue helps to bring into sharper focus the legal principles that will assist in arriving at an independent judgment on that particular issue.

I hasten to add that in my view such a process should occur, if possible, before litigation is filed. My five years in private practice as a trial lawyer convinced me that proper service to the client requires vigorous attempts to resolve disputes short of litigation. Litigation is costly, time consuming, and often not satisfying even to the party who wins a favorable judicial determination. Of course, in some cases litigation is unavoidable. In those cases, efforts at negotiation should still be made after the litigation is filed. Even if unsuccessful in resolving the entire case, such negotiations often result in narrowing of the issues to be litigated.

I am eager to assume the responsibilities of Solicitor and to assist the President, Secretary Hodel, and the Department of the Interior in executing the laws that Congress has placed within the responsibility of the Department. I can assure this Committee that, if confirmed, I will enthusiastically and energetically carry out to the best of my abilities the duties of Solicitor.

I am pleased to have the opportunity to appear before the Members of this Committee today, and I will be happy to respond to any of your questions.

The **Chairman**. Senator Ford.

Senator **Ford**. Mr. Chairman, I was intrigued by Mr. Tarr's statement that he would prefer to work out a case, rather than go to court. It depends on if you win or lose before you take it to court, I imagine.

Give me a hypothetical case of what you mean about working something out prior to taking it to court. You say a lawsuit is not the best way. How do you work things out? That sounds like a deal to me, and I don't think you meant it that way.

Mr. **Tarr**. Well, I don't mean that at all, Senator. As an attorney, my job is to get the best results I can for my client. There's no question about it. And there are times when what the other side is willing to agree to is simply not sufficient to reach a settlement that you would recommend to your client that he enter into.

But the period of time that it takes to conduct a lawsuit and the amount of effort that is generated in going through all the machinations of litigation are oftentimes counterproductive, and what my statement goes to is that I would very much expect to try to sit down with the various parties to a dispute, hopefully in advance of the time that a lawsuit is filed, and discuss with them what their various wishes are; what their positions are; what they seek; and see if there is not some area of understanding that can be reached so that we can avoid what has just been an enormous boom in litigation.

Senator **Ford**. One thing, particularly in surface mining cases, lawyers are paid fees, and that is a percentage. How would that stack up when you get into trying to work out something with a local lawyer based on a surface mining problem or mineral rights, or whatever that might be.

Mr. **Tarr**. I'm not sure that I fully understand what the Senator is referring to. I must confess I am not particularly knowledgeable about how surface mining cases are handled by attorneys in private practice.

Senator **Ford**. Well, doesn't the Federal Government in those cases pay certain fees based on lawsuits presentations?

Mr. **Tarr**. I'm sorry; I'm not familiar with the law in that area.

Senator **Ford**. Maybe I'm not being very clear, but what I'm trying to—and I think the chairman is an attorney, he might tell it—when they file these lawsuits, aren't the attorneys given a fee for filing or participating in a lawsuit?

The **Chairman**. They may be given a fee by a private party, but that would be a matter——

Senator **Ford**. The Federal Government pays the attorneys' fees is what I'm getting to, or what I've been trying to get to.

There was a $500,000 fee in a recent surface mining case.

Mr. **Tarr**. I'm not familiar with that.

Senator **Ford**. You better get up to speed on it. Better get up to speed on it.

The **Chairman**. A judge can award costs, and under appropriate cases I assume a judge might award costs that would include attorneys' fees, but there's no general practice that I'm aware of.

Senator **Ford**. As part of the lawsuit settlement, fees to the attorneys. It's something that bothers some of us a little bit.

Mr. **Tarr**. Well, my understanding on attorneys' fees versus the Federal Government is that private counsel are not entitled to them unless there is some statutory provision for them, and I would certainly want to become knowledgeable about any statutory provision there would be for the award of fees. And I'd be happy to do that.

Senator **Ford**. I'm not a lawyer, and I get that out front. My dad told me a little knowledge of the law is dangerous; get you a good lawyer and stay with him. So I try to follow that practice.

But now let me ask you this, since you prefer to settle cases out of court. Can Interior agree to a settlement that is not consistent with the applicable law?

Mr. **Tarr**. Senator, I think I would be hard pressed to as Solicitor to recommend to my client that he agree to a settlement that I felt in my best professional judgment was not consistent with the law—as a general statement.

Now, I in any particular case would certainly have to look at what we meant by "it wasn't consistent with the law." But in my view——

Senator **Ford**. Sometimes two lawyers interpret the law different. Your interpretation of the law and his might be different as it applies.

Mr. **Tarr**. Where there's a genuine dispute about what the law is, and the settlement is designed to reach a determination of that, that may be another matter. However, I'm quite concerned about executive branch agencies settling cases on terms that are beyond their authority, for example.

I think that we have seen some problems with that in the past, and I certainly would not be eager to have the Department do it.

Senator Ford. Mr. Tarr, I'm going to get to a personal feeling now. I have an intern program in my office where the political science classes of our two major universities select interns who work in my local office. And the local office will decide on which one is best, and that one will have a semester with me here in Washington.

Several of those have been stayed on and have been excellent. The No. 2 in the University of Kentucky graduating class law school is still here. One of the outstanding law students there is still up here. Some of those who were in governmental area of education are still here, and I'm pleased that they are.

I think it generates some interest and a different view of Government when they work a little bit. So that program, I am very sensitive about, and very pleased with it so far.

After a new Solicitor started, as I understand it, in the Department in 1981, several entry level attorneys employed as part of the Department's honors program were removed—or we could say fired. I understand that one of the repercussions of this action was to make top law students reluctant—and I underscore reluctant—to consider Interior as a place to work.

I further understand that many thought the action might have been politically motivated.

First, does the Solicitor's Office currently have an honors program, or do you know?

Mr. TARR. Senator, I do not know that. The Department of Justice, which I'm more familiar with, does hire recent law graduates in an honors program and that has been a very fertile source of quality legal talent.

Senator FORD. What do you think of the hiring and firing practices as it relates to the Solicitor's Office?

Mr. TARR. In general terms, I don't know how to answer the Senator's question. My understanding is there is a centralized system that is in place, consistent with the civil service requirements as far as hiring, and I certainly, if the Senator has some particular concern about that, would be more than happy to look at that, if confirmed, and to make any determination about its consistency with law and so forth.

Senator FORD. I would appreciate it if you would let me and the committee know.

Do you anticipate undertaking any major staffing changes at the Solicitor's Office?

Mr. TARR. Senator, in all due humility, I have not really faced those kinds of questions yet.

Senator FORD. Well, you're going to have to.

Mr. TARR. If confirmed, clearly personnel has to be one of the first items on anybody's agenda in a new position, and it will be on mine.

Senator FORD. I thought that would have already been on your agenda.

Mr. TARR. It will be very high up as soon as this committee and the Senate have confirmed me, hopefully. I will be looking at this question.

Senator FORD. Well, I don't think you have any doubts but what you're going to be approved. Maybe you've already looked at that.

Mr. TARR. I am generally familiar with the office structure, Senator, and nothing readily comes to mind as a major change in structure. I, of course, would want to go in and look very carefully at the office and make sure that it is something that is manageable and if there are some changes that would help with that, I would certainly want to consider them.

Senator FORD. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Senator Bingaman.

Senator BINGAMAN. Thank you, Mr. Chairman.

Let me just ask a couple of general questions if I could, Mr. Tarr.

To what extent do you see this new position you've been nominated for as a policymaking position?

Mr. TARR. That may well vary, depending on practice. Essentially as I see the position, it is to give my best professional legal judgment on the various issues that the Secretary requests assistance with or which I identify as Solicitor as legal problems to him.

And it would be my approach to the office to give him those judgments in a manner that does not to tend to foreclose his policy choices simply because someone in my office has made a determination that they don't like the policy, so they're going to see to it that it's not legal.

I think the role of the Solicitor is to advise the Secretary on his range of choices. Certainly the Solicitor operates in the context of a policy environment so that that will often, I'm sure, dictate the agenda of items that are considered and may well also in some degree determine the kinds of things that we look at.

Senator **BINGAMAN**. To what extent did Secretary Hodel participate in your selection for the position?

Mr. **TARR**. I am not thoroughly knowledgeable on that, as to how precisely that was determined, but I did interview with Secretary Hodel and it's my understanding that it was his recommendation to the President that is responsible for my being here today.

Senator **BINGAMAN**. Let me ask about one area of litigation where there was a lot of attention to in my home State and where I guess you will be devoting a lot of time on in the next few years. That is the litigation over jurisidictional questions on Indian land and the extent to which States can exert their jurisdiction to impose State law on Indian land. Also, the extent to which Indian tribes and pueblos can tax and take action there.

That whole area is a very fertile field for litigation, has been for several years and promises to be indefinitely.

Do you think it's an appropriate thing for the courts to be deciding and for your office to be deciding, or do you think that this is really an area that Congress should take a more proactive role in trying to set some guidelines for what the jurisdictional decision should be?

Mr. **TARR**. I must say, Senator, in general terms I'm not in a position to respond to that question with my current level of knowledge. I am generally familiar that the issue you raise is particularly being played out in the Indian gambling area, if I may refer to it in that regard, and it's my understanding that there are some very difficult issues there that Congress may well be in a position to have to decide.

Senator **BINGAMAN**. OK. That's all I have, Mr. Chairman.

The **CHAIRMAN**. Thank you.

Senator Metzenbaum.

Senator **METZENBAUM**. Mr. Tarr, as I understand it, did you represent some of the people in the Westlands Water District while you were in private practice?

Mr. **TARR**. Yes, Senator; I did.

Senator **METZENBAUM**. Perhaps you've addressed yourself to this issue before I got here, but tell me the circumstances, who they were, and what involvement that might have vis a vis your own responsibilities in this position.

Mr. **TARR**. Senator, essentially my representation in the Westlands was of the California Westside Farmers, an association of landowners in the Westlands Water District, essentially put together in approximately 1976 or 1977 for the purpose of participating in the *National Land for People* v. *Andrus* suit, which the Senator probably recalls had to do with the question of whether or not the Department of the Interior was required to issue rules and regulations on reclamation projects.

That entity went out of existence, I believe, in about 1979 or so. My participation on their behalf was in that case through the appellate courts—I handled some of the appellate work through the circuit court here and at the Supreme Court.

The Chairman. Would the Senator yield for just a moment on that question?

My understanding of the Westside Farmers Group was it wasn't exclusively Westland's patrons; am I correct in that?

Mr. Tarr. If we are—if we get into the question of whether they—there were some from the Westlands and some from the West Plains district, but essentially they were recipients on the west side of the reclamation project.

Senator Metzenbaum. And what's the status of that case at the moment?

Mr. Tarr. That case, as far as I know, is now totally closed and over with. The issues of the regulations, I believe, although I'm not intimately familiar with the 1982 reform act, have essentially been dealt with by Congress.

There is one other lawsuit that I was involved with on behalf of an individual farmer in that area. That was a case entitled *Pilibos* v. *Andrus*. That case, as I understand it, is still pending some 6 years or 7 years later. It's an individual landowner who was concerned about the moratorium that was placed on him by the Secretary of the Interior at the time, pending a determination of these issues about issuing regulations, and he was concerned about his 10-year contract running while the moratorium was on.

And, Senator, if I might follow up—excuse me—on your original question, I would consider it something that I would not participate in as Solicitor in that particular case that is now pending.

Senator Metzenbaum. So the case is pending, and is there a proposed settlement now being talked about?

Mr. Tarr. I am not familiar at all with the status of that case, Senator. I have not, since I've been with the Government, had anything to do with it and I would not feel it appropriate for me to do so.

Senator Metzenbaum. But if there—but you will recuse yourself as far as any involvement while you're at the Department?

Mr. Tarr. In that case—in *Pilibos* v. *Andrus*, indeed. No question.

The Chairman. Would the Senator yield? I think there may be a little confusion here. There are two different cases to which you made reference. One was the Westside Farmers Group and the other was the individual case which is still pending.

I wouldn't want there to be any confusion as to the answer to the question.

Senator Metzenbaum. Is the first case, the one having to do with the west—what do you call it—Westside Farmers?

Mr. Tarr. Right.

Senator Metzenbaum. The Westside Farmers. Is that case still pending?

Mr. Tarr. No, Senator. That is not pending any longer.

Senator Metzenbaum. What happened to that case?

Mr. Tarr. That case essentially was played out through the courts. The Secretary, as you know, issued rules and regulations to govern reclamation projects, and then whatever issues were still remaining with regard to that lawsuit were, as I understand it, handled in the 1982 reform act.

So that case is no longer an open case.

Senator METZENBAUM. But the individual case is still pending?

Mr. TARR. The individual case is still pending.

Senator METZENBAUM. Have you been involved in—at what point did you stop being involved in that case?

Mr. TARR. In the one that's still open?

Senator METZENBAUM. The individual case.

Mr. TARR. I think the last—well, the case was filed in, I believe, March 1978 and essentially the court stayed the action at some point, probably early 1979. And other than watching to see that nothing was going awry so that my professional responsibilities were not satisfied, I haven't had any active involvement in that case since about 1979.

I ceased all concern about it in 1982 when I left my law firm.

Senator METZENBAUM. You've been with the Justice Department how long?

Mr. TARR. Approximately 3½ years.

[Pause.]

Senator METZENBAUM. I have no further questions.

The CHAIRMAN. Thank you very much. There may be other questions to submit in writing. I would ask that each member of the committee who has such questions to submit have them to us by the close of business today so that we may get the responses to the record and be in a position then to act upon the nomination.

And I would hope you would get the answers to us quickly when they are submitted to you.

Mr. TARR. I will indeed, Senator.

The CHAIRMAN. Thank you very much, Mr. Tarr. Appreciate your testimony this morning.

Mr. TARR. Thank you.

The CHAIRMAN. The distinguished senior Senator from Virginia has expressed a desire to be here to introduce his constituent, Mr. Griles, before this committee this morning. But he's chairing a hearing before the Armed Services Committee and can't leave at this moment.

He does have a statement introducing Mr. Griles, and that statement will be made a part of the record at this point.

[The prepared statement of Senator Warner follows:]

STATEMENT OF HON. JOHN W. WARNER, A U.S. SENATOR FROM THE STATE OF VIRGINIA

Mr. Chairman, I am pleased to introduce to the Senate Energy Committee this morning J. Steven Griles, whom the President has nominated to be Assistant Secretary of Interior for Land and Minerals Management.

I have known Steve since 1979 when I began my service in the Senate.

He is an outstanding Virginian who brings to the position a wealth of experience in both State and Federal government.

After graduating from the University of Richmond, Steve began his career in Virginia's Department of Conservation and Economic Development where he supervised the successful implementation of 14 major State programs.

In 1981 with my strong support, Steve came to Washington where he served as Deputy Director of the Office of Surface Mining for two years.

In 1983 he was promoted to Deputy Assistant Secretary of Interior for Land and Minerals Management.

Steve has been Acting Assistant Secretary for Land and Minerals Management for the past year, the position for which he has been nominated by the President.

Steve has a large and wonderful family, many of whom are with him today.

I welcome to the Committee his wife Casey, daughter Kimberly, sons Timothy and Matthew, mother Elsie and brother Dwayne.

His daughter Megan who celebrated her first birthday last month is at home this morning.

Mr. Chairman, I strongly commend to the Committee the nomination of Steve Griles, a man of unquestioned integrity, superb judgment, and exceptional knowledge.

I know he will do a good job for the American people, and I urge the Committee to recommend his confirmation.

The **Chairman**. Mr. Griles, the rules of the committee that apply to all nominees require that they be sworn in connection with their testimony.

If you will please raise your right hand.

[Whereupon, J. Steven Griles was duly sworn by the chairman.]

The **Chairman**. Please be seated.

As you know, we ask each of the witnesses who appear before us for confirmation to answer four questions.

Will you be available to appear before this committee and other congressional committees to represent departmental positions and respond to issues of concern to the Congress?

Mr. **Griles**. I will.

The **Chairman**. Mr. Griles, your informational statement has been submitted to the committee. However, it is required that this statement be made public unless the committee decides that special circumstances justify an exception.

Do you have any objection to the publication of your informational statement?

Mr. **Griles**. I do not.

The **Chairman**. Are you aware of any personal holdings, investments or interests that could constitute a conflict of interest or create the appearance of such a conflict, should you be confirmed and assume the office to which you have been nominated by the President?

Mr. **Griles**. I'm not aware of any.

The **Chairman**. Are you involved in or do you have any assets held in blind trusts?

Mr. **Griles**. I do not.

The **Chairman**. Before asking you to proceed with your statement, I would like to recognize the fact that you have family here. You might like to introduce those members of your family who are present this morning, Mr. Griles.

Mr. **Griles**. Thank you, Senator. I have, first, my wife on the end; and my son Matthew; my son Timothy; daughter Kimberly; my mother; and my brother Duane.

The **Chairman**. It looks to me like you're adequately supported this morning.

Mr. **Griles**. Well, we left one at home. In case we need any reserves, we'll call her in.

The **Chairman**. Mr. Griles, you may proceed with your statement at this point.

STATEMENT OF J. STEVEN GRILES, NOMINEE TO BE ASSISTANT SECRETARY FOR LAND AND MINERALS MANAGEMENT, DEPARTMENT OF THE INTERIOR

Mr. Griles. Mr. Chairman, it is indeed an honor to be with you and the other members this morning to appear today as the President's nominee for the Assistant Secretary of the Interior for Land and Minerals Management.

As you may be aware, this Assistant Secretary's office is responsible for the oversight responsibilities of the Bureau of Land Management, Minerals Management Service, and the Office of Surface Mining.

Mr. Chairman, I'm not going to read my entire statement. I'd like to submit it for the record, but there are a couple of things——

The Chairman. It will be placed in the record.

Mr. Griles. Thank you.

There are a couple of things I would like to highlight for you. One is that I am committed to listening to all the concerns of the various affected groups at the Assistant Secretary's office and the Bureaus that I have responsibility for, and to seek advice from the experts, and then to balance those factors in making recommendations and reaching decisions which will result in, I believe, workable and hopefully long-lasting solutions to the many resource management problems that we do face.

I've had the opportunity, Senator, to work with this committee on a number of occasions in the recent past. I've learned a great deal about the specific programs of the Department, but as I say, most importantly, I've learned the value of listening before making recommendations and reaching decisions that protect and further the interests of the public.

Senator, listening to all viewpoints helps assure that I receive the best possible advice and increases the prospects for finding workable solutions. Consensus is important in creating long-term stability, and consensus in the Interior programs.

I realize that consensus doesn't mean that all groups and all individuals will agree on all points, but it is a goal we must constantly seek to achieve.

Secretary Hodel has defined my mission as one of seeking to find common ground in order to resolve conflicts so that we can more effectively implement the programs authorized by Congress.

In my statement, Mr. Chairman, I lay out some of the goals the President gave the Secretary when he was nominated to be the Secretary of the Interior in February.

I also have worked with the Secretary and discussed with him some of the objectives that he has asked me to implement in achieving those goals. And that is to protect the natural, cultural, historic, and wilderness resources, to pursue conservation—and by that I mean the wise use of Federal energy and minerals and renewable resources found on our public lands under the principles of multiple use and sustained yield; and to increase the public's awareness of the public lands and increase the public's role in the contribution they make in protecting their public resources.

There are several other objectives I've listed, Mr. Chairman, in my statement, but in closing I think I'd like to restate how strongly

I believe the need to listen to all points of view and to receive the best possible advice if we are to find those workable, long-term solutions that I think you and others of the committee seek.

Consensus is a primary goal that we must strive to achieve.

Mr. Chairman, my entire professional career has been dedicated to public service. The opportunity to be here and to serve, if confirmed, as Assistant Secretary for Land and Minerals Management, is exciting. And, if confirmed, I look forward to working closely with Congress, the members of this committee and the public to carry out those programs that have been established by Congress to further the public interest.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Griles follows:]

J. STEVEN GRILES
STATEMENT BEFORE THE SENATE COMMITTEE ON
ENERGY AND NATURAL RESOURCES

December 4, 1985

Mr. Chairman and Members of the Committee: My name is Steve Griles, and I am honored to appear before you today as President Reagan's nominee for the position of Assistant Secretary of the Interior for Land and Minerals Management.

As you may be aware, the Office of the Assistant Secretary for Land and Minerals Management has oversight responsibility for the Bureau of Land Management, the Minerals Management Service, and the Office of Surface Mining Reclamation and Enforcement. The programs of these Bureaus are extremely important to the Nation and some of the most challenging in the Department of the Interior. The position of Assistant Secretary for Land and Minerals Management requires a strong management background and the commitment to listen to the concerns of the various affected groups, and the advice of experts, and then to balance those factors in making recommendations and reaching decisions which result in workable long-lasting solutions to the many resource management issues that face us today.

Currently, I serve as the Deputy Assistant Secretary for Land and Minerals Management with primary responsibility for the Department's onshore and offshore energy and minerals programs. In this capacity, as well as with my previous position in the Department of the Interior and prior to that with the Virginia Department of Conservation and Economic Development, I have come to appreciate fully that decisions relating to the Nation's lands and minerals management issues are complex. There are no easy answers. Since serving at the Department of the Interior I have had the opportunity to work with this Committee on many of these difficult issues as well as with numerous constituent groups, government officials at various levels, and the public. I have learned a great deal about specific programs, but most importantly I have learned the value of listening before making recommendations and reaching decisions that protect and further the interest of the public.

Listening to all points of view helps assure that I receive the best possible advice and increases the prospects for finding workable solutions. Public involvement is crucial for developing consensus. Consensus is important to creating long-term stability and consistency in Interior Department programs. I recognize that consensus does not mean all groups or individuals will agree on all points, but it is a goal we must constantly strive to achieve. Secretary Hodel has defined my mission as one of seeking to find common ground in order to resolve conflicts so that we can more effectively implement the programs authorized by Congress.

If confirmed, I will strive to implement, within the area of responsibilities of the Assistant Secretary for Land and Minerals Management, goals established by the President for the Department of the Interior. These goals include:

- To conserve the Nation's national parks, wilderness, and wildlife resources.
- To enhance America's ability to meet our energy and mineral needs with domestic resources.

- To increase the supply of quality water.

- To improve the Federal Government's relationship with State and local governments.

- To develop the economic and social resources of American Indians, Alaska Natives, and the people of the U.S. Territories.

I am committed to these goals and, based on discussions with Secretary Hodel, have identified several principles which are designed to guide my future actions and decisions. These are:

- Implementing statutory mandates to assure Congressional intent is met.

- Exercising wise stewardship under the concept of multiple-use and sustained yield.

- Seeking views of States, affected interest groups, and the Congress in formulating policy and in decisionmaking.

- Involving the States more and seeking to have them assume a greater partnership responsibility in designing and administering programs that affect them.

These principles will be applied in pursuing several fundamental objectives which Secretary Hodel asked me to develop for the programs under the Assistant Secretary for Land and Minerals Management.

These objectives are:

- To protect the natural, cultural, historic, and wilderness resources while providing opportunities for recreational and educational uses.

- To pursue the conservation of Federal energy and mineral resources and renewable resources found on the public lands under the principles of multiple use and in an environmentally safe manner.

- To increase public awareness of the public lands and increase the public's role and the contribution they make to protecting their public resources.

- To pursue timely restoration of unreclaimed lands to the full extent authorized by law, and if not restored, to vigorously utilize the authorities available to the Secretary to have such lands restored.

- To maintain constant vigilence in carrying out our fiduciary responsibilities to collect, account, and disburse public land revenues.

- To focus on the sensitive constituency issues that affect Alaska Native and State selections.

- To increase the productivity and morale of our work force, and to find better and more efficient ways to accomplish our jobs.

In closing, Mr. Chairman, I wish again to restate how strongly I believe in the need to listen to all points of view and to receive the best possible advice if we are to find workable solutions to the complex issues that face the Department today. Public involvement is crucial in that process. Consensus is one of my primary goals and I will direct my efforts to that end.

Mr. Chairman, my entire professional career has been dedicated to public service. The opportunity to serve as the Assistant Secretary for Land and Minerals Management is exciting and, if confirmed, I look forward to working closely with you, Congress, and the public to develop and carry out the programs established by Congress in furthering the public interest.

The **Chairman**. Thank you.

Senator Ford.

Senator **Ford**. Mr. Chairman, I'm going to yield for the time being.

The **Chairman**. All right.

Senator Nickles.

Senator **Nickles**. Thank you, Mr. Chairman.

Mr. Griles, welcome to the committee. I'm sure you'll be before us many times again.

A couple of questions, more parochial in nature than anything else. As I'm sure you are probably aware, the OSM has basically taken over management of reclamation in the State of Oklahoma and I also believe—what, the State of Tennessee?

Mr. **Griles**. That's correct.

Senator **Nickles**. The State of Oklahoma—and I concur with this—has very much desired to regain control of management over the coal mines.

Can you bring me up to date on what the progress is and hopefully to where the State would be regaining control in management supervision of the mines?

Mr. **Griles**. Senator, my understanding of where the State of Oklahoma and OSM are is that OSM has made first steps to return primacy to the State of Oklahoma on a phased basis. Working on a case-by-case basis, it is the Acting Director of OSM's position, as I understand it, to try to assure that the State has the appropriate personnel, technical expertise, and the ability to assume that responsibility that Congress, when it passed the Surface Mining Act of 1977, intended to be implemented.

And it's my hope that over the next year, that that will come to fruition and the State will have the fullest authority to administer the Surface Mining Act, and OSM will assume an oversight role of assuring that the State is implementing that Act as Congress intended.

Senator **Nickles**. That oversight role, then, would be the same that you exercise over all States?

Mr. **Griles**. That's correct, sir.

Senator **Nickles**. Do you have a timetable when that might be able to take place?

Mr. **Griles**. Senator, I do not have a timetable. I think the Acting Director of OSM and the State have worked out a tentative timetable among themselves as to how they think they can move forward: But as I understand it, there's going to be a step-by-step approach as they move forward, to be assured that in fact all parties agree that the right personnel—the right technical expertise—there to assure the State can implement that act.

Senator **Nickles**. Could you supply our office with possibly a timetable or what they've agreed to? I'd like to expedite that procedure and at least would like to be brought up to date on where it stands.

We've had some hearings, incidentally, on this issue in the State of Oklahoma. And maybe I'll ask you another question on that line, and this wouldn't apply just to Oklahoma, but to all. And that would be as far as enforcement concern, we had a lot of complaints from a lot of—almost all of our operators—that a lot of enforcement that OSM was making, much of it was misdirected and they said much of it was more directed toward harassment than it was enforcement; that is, some very, very punitive fines in the several thousands of dollars for incidents that were very trivial—a sign needed to be moved 100 yards or needed to be elevated or needed whatever, and we're looking at fines of up to $22,000 or something.

Again, I happen to be a strong believer in reclamation, but I would also like some common sense and some working cooperation, I guess, with individuals involved to make sure that our efforts are toward reclamation and not toward trying to sock it to various operators.

Would you care to comment on that?

Mr. GRILES. Senator, the concerns you've expressed have in the past been expressed by others. In the past, when OSM OS did have direct responsibility for enforcement. It was overzealous in that approach.

I believe, Senator, that the inspectors OSM has today understand that they should enforce the law; that the regulations that caused the penalties to be of the nature you're speaking of—$22,500—are based, in fact, to some degree in law. I believe the law says that $750 a day, up to 30 days, and if you multiply that, it comes out $22,500.

So the law mandates that when an operator doesn't comply with an order and then he's issued a cessation order, that is an automatic penalty, and it can increase to $22,500 in 30 days.

Now, there are other penalties that OSM has in its rules. And the Secretary identified OSM as one of the two primary concerns he had when he assumed his office in February. And in order to address some of those concerns, some which you've expressed today, he asked the counsel to the Secretary, Mr. Earl Gjelde, to move forward with a management plan to look at all the issues—penalties, the relationship with the States, the relationship with environmental groups—and try to find a way to allow OSM to be less confrontational but more successful in assuring the objectives of the act are met.

Last week that management action plan came out. And in it, one of the comments was that OSM will look at what are the appropriate fines for certain types of violations.

Senator, I could not agree with you more. A sign that's improperly marked or improperly placed does not appear to me to warrant a $22,500 fine; but on the other hand, Senator, an operator who's out there mining illegally, without a permit, and affecting the environment, should be fined. He should not be mining coal, and it's our hope that we won't let him mine coal.

So there are two extremes, and the same principles need not apply to the same extremes on those. So we need to be sure we have a balanced approach.

Senator NICKLES. I would encourage you to use a common sense approach. Again, I'll just relate another incident where we had operators that would come up and state that one investigator would basically be signing off. Another one might come out a week later, and a rain just came, and all of a sudden this is not in compliance, and here starts the whole litigation process—and very confrontational; not in a cooperative manner in many cases, where what can we do to make sure that this is in compliance, but in many cases very confrontational. And that's not to anybody's—certainly not in the environment's best interests.

Another parochial question that would be under your domain, I believe as well, and that deals with mineral management, particularly the payment of royalties particularly to Indian tribes and individuals.

We've had an enormous backlog, confusion, delay, inaccuracies, many times underpayments of substantial amounts, possibly the other way. I don't hear about those.

I know that some efforts have been made, but I would have to say that most people that we've discussed it with have said that they've been inadequate or they haven't been successful enough, or they haven't been prompt enough, and that there's still a substantial amount of work to be done as far as processing and cleaning up some of the mistakes that have been made.

Are you aware of that problem? Are you willing to invest a little time and energy in trying to see that we couldn't do a better job as far as fiscal management of these royalties?

Mr. **Griles**. Absolutely, Senator. We will do that. I talked to the Assistant Secretary designee for Indian Affairs after you and I discussed this issue. He and I both admit that this is a top priority of ours to address that issue.

Senator **Nickles**. Is that Mr. Swaymer?

Mr. **Griles**. Yes, that's correct. And he and I both will make that a top priority to continue to move forward, because there has been progress there.

Senator **Nickles**. I appreciate that. I'm not sure there's been that type of cooperation necessarily in the past with some of the various divisions, and I look forward to working with you on that as well.

Thank you very much.

The **Chairman**. Senator Metzenbaum.

Senator **Metzenbaum**. Mr. Griles, there is considerable evidence that under your stewardship, the Office of Surface Mining carried out a campaign to gut the Federal strip mine laws. That actually might make you pretty popular with some members of the committee, but not with this Senator.

Eighteen months after you arrived, nearly 50 percent of OSM's experienced personnel were fired, resigned, retired, or transferred. Major environmental and enforcement regulations were rewritten, thrown out by Federal courts as totally at odds with the law. And finally, the Office of Surface Mining has made no effort to collect nearly $200 million in fines.

I guess my basic question is, why do you want this job? You don't seem to believe in the law; you're not enforcing the law; you reorganized the Department; half the people have left.

Why don't you go do something else instead of accepting a governmental responsibility to do something you obviously don't believe in?

Mr. **Griles**. Senator, if I believed all that I read in the newspapers about some of the facts——

Senator **Metzenbaum**. This isn't from the newspapers. I haven't quoted a newspaper yet.

Mr. **Griles** [continuing]. Some of the facts about what OSM has done. My commitment, Senator, if confirmed, is to assure that the Surface Mining Act is enforced and that OSM is moving forward with the computerization which started in 1982 of those past violations, fines and is still moving forward. Most of those violations occurred in 1977, 1978, 1979, and 1980.

Senator **Metzenbaum**. Well, Mr. Griles, you talk about the newspapers, but let me talk about the House Government Operations Committee. They had a bipartisan report, not just the majority—bipartisan. It was issued without dissent and there were no minority views.

And I must say to you, in the years I've been in the Senate, I don't think I've ever read anything that comes through as strongly as does that report.

It's rather interesting to me that you immediately pop—some people in Government are so apt to do—lay it onto the newspapers or those reporters or the TV people. I haven't said a word about newspapers.

But the bipartisan report could not have had stronger language:

> The Department has failed in carrying out its responsibilities for assessing and collecting civil penalties and for implementing other enforcement provisions of the law. Office of Surface Mining has failed to establish itself as a credible regulatory agency. The continuum of inactivity at the OSM evidences an agency either hesitant or simply unable to carry out its regulatory responsibility.

The report concludes with an unbelievable kind of suggestion. I don't know when I've seen this kind of an extraordinary suggestion made by a congressional committee, which says that if there is no improvement in 6 to 9 months, Congress should consider transferring administration of the program from the Department of the Interior to another appropriate regulatory agency.

Now, that's an extraordinary indictment of a program which more than any single individual, you managed. That's the reason I say, why do you want this job?

That conclusion raises serious questions, frankly, as to your commitment to the law, and if it isn't a lack of commitment then it raises a question about your qualifications for the position to which you've been nominated. What reason is there for any of us to believe that in your new position you won't continue to subvert or otherwise distort the law, both as it pertains to surface mining and to other issues under your jurisdiction?

Tell us something that would give us some reason to say this is the man who is going to do the job. We write the laws, but you people who have the regulatory responsibility to follow through in implementing the laws, if you don't do your job—and this House committee bipartisan report, no dissent, could not have used more condemnatory language. And it's interesting to me that for that kind of inactivity, for failure to perform your responsibilities, this administration sees fit to promote you.

No wonder there have been so many newspaper stories of indictments and other things—and I don't mean to suggest in any way any criminal activity on your part. I am not suggesting that. But I am suggesting a total lack of commitment to the program and a total blank as to any reason why you should be holding this position.

Would you care to respond?

Mr. GRILES. I think I should count to 10 for a second.

Senator, in the last 2½ years I have not had managerial responsibility for the Office of Surface Mining.

Second, that responsibility is important. I believe that the law is a necessary law; it is an important law; and if I am confirmed, I will assure you that that law will be effectively enforced.

There are a number of issues that OSM needs to get ahead of the power curve on. The Secretary, when he was confirmed, identified OSM, as I previously stated, as one of the two top issues within the Department of the Interior. Since that time, OSM has had the personal attention of the Secretary. He has spent a number of hours reviewing policies and procedures which resulted last week in the submittal of a draft management action plan to a number of interested parties. That plan will address many of the concerns that have been identified by the House Government Operations Committee, by this committee, by individual Members of Congress, as well as outside groups.

If I am confirmed, I will assure that those policies, once the Secretary makes his final decisions, are implemented.

You asked why I should be confirmed for the job. I know the act, I am dedicated to making the act work. I've taken an oath that if I am confirmed I will do that.

Second, I bring management abilities to make it happen, and we will assure that the problems of the past, Senator, will be addressed in an effective manner.

Senator METZENBAUM. Well, I appreciate your statement, but you led off by saying that you did not have the direct responsibility.

Let me read you what you have stated to us in your report that Presidential nominees submit. From 1983 to the present, you had direct responsibility for programs associated with land use planning, public land management, including onshore and offshore minerals management; development and management of effective fuel-related mineral data collection analysis; operations management for minerals on the Outer Continental Shelf to the outer limits of the U.S. economic jurisdiction; management of revenues from Federal mineral leases; also serve as an adviser to the Secretary in the Secretary's role as Chairman of the Cabinet Council on Natural Resources in the Environment; oversee secretarial direction and supervision of the Bureau of Land Management, the Minerals Management Service, and the Office of Surface Mining and Reclamation.

Prior to that, from June 1981 to September 1983, you were the Deputy Director of the Office of Surface Mining. You were the principal adviser to the director. You managed the Surface Coal Mining and Reclamation Act that controls all coal mining to assure environmental protection and proper reclamation of lands disturbed. You pride yourself on revising the regulations to remove inflexible design criteria and replace with enforceable performance standards. You go on.

But certainly you didn't say that you didn't have responsibility. I could read more of that which you've done. I think that it does come right to your doorstep. Mr. Griles, for you to say that you didn't have direct responsibility, I have difficulty in comprehending how you could make that as your lead response.

If you would care to respond to that.

Mr. GRILES. Senator, what I stated, I think, was that since I was named the Deputy Assistant Secretary in the summer of 1983, I from that time forward had no responsibility for the Office of Surface Mining.

The Assistant Secretary's office did. There were two Deputy Assistant Secretaries. That other Deputy Assistant Secretary had responsibility for the Office of Surface Mining. I was not involved, did not participate in day-to-day decisionmaking or policies of that office from that point forward. Last——

Senator METZENBAUM. But you say here——

Mr. GRILES. May I finish?

Senator METZENBAUM. Oh, I'm sorry. I didn't mean to interrupt you.

Mr. GRILES. Last year, in December, when the Assistant Secretary left, from December until Secretary Hodel came aboard, I did get and was involved in some decisions with the Office of Surface Mining.

When the Secretary came on board, he and I agreed that OSM was a major management problem for Interior and that we needed to restore credibility to the agency. I asked an individual by the name of Jim Cason, who worked for the Bureau of Land Management, to spend as much time as he could to help resolve the management problems of the agency in terms of setting up a computer system to assure the collection of those old fines.

The Secretary asked his counsel, Mr. Gjelde, to take a direct-line responsibility course for OSM, to assure that we did have the best management team to address OSM problems and restore credibility to the agency.

That occurred and has been ongoing. I believe, Senator, the Draft Management Action plan that is out for review and will come out again in draft for review in January will go a long way toward addressing the many management problems that OSM is confronted with today.

Senator METZENBAUM. What you're saying is that you're going to resolve and clean up some problems that have been created previously. But the facts indicate that the problems that have been created were at your very doorstep. And when you were in the—when you were Deputy Director of the Office of Surface Mining, you specifically mentioned that you managed the Surface Coal Mining and Reclamation Act that controls all coal mining to ensure environmental protection and proper reclamation of the lands disturbed.

You told us that that was when you were Deputy Director. In your more recent position, you told us that you oversee the secretarial direction and supervision of the Office of Surface Mining and Reclamation.

And in the Brooks Committee report, they say the following:

> Reorganization of the Office of Surface Mining in 1981 seriously undermined the Department's ability to process civil penalty collection cases. Congress provided that surface mining activities would eventually be regulated by the coal producing States. Until the States assume primary responsibility for carrying out the Surface Mining Act, OSM was responsible for implementing an interim program in the

States and was originally organized to accommodate the interim program. The pending shift in responsibilty to the States necessitated a reevaluation of OSM's organizational structure.

On May 20, 1981, then Interior Secretary Watt formally approved the plan for reorganization of OSM, a plan developed and implemented under the direction of then Director, Mr. James R. Harris, and Deputy Director, Mr. Steven Griles.

Now you're saying there are problems that have been created by reason of the reorganization, and you're coming in to do something about it.

Now, you had those responsibilities. First of all, the question is, you created the problems. I mean that's what the Brooks Report says. Now you're saying to us, you're going to see to it that those problems that were created by others are going to be cleared up.

I'm asking you, can you give us a scintilla of evidence, just any kind of evidence, that you, Steven Griles, have done anything to provide effective direction, effective operation of the Office of Surface Mining. If you believed in the law, the question is why did you undertake a major reorganization which resulted in the loss of your most experienced personnel, leaving the agency understaffed and demoralized and, according to the Department's own management review, unable to carry out its statutory responsibility?

Mr. **Griles**. Can I answer that, Senator?

Senator **Metzenbaum**. Please do.

Mr. **Griles**. I'm really glad we had a chance to put that on the record because in 1981, when I came to the Office of Surface Mining, I was presented with a reorganization plan that was prepared by the previous Director of the Office of Surface Mining in 1980.

Along with that reorganization plan, Senator, was a proposal of how the Office of Surface Mining would be staffed when the States were given primary responsibility for enforcing the Surface Mining Act.

The numbers that were in the OSM reorganization that went into effect in 1981, 1982, and some in 1983—because it was phased—are the same numbers that were in the 1980 proposal of the Office of Surface Mining. The number, 69, was the 1980 previous administration figures for inspectors that was used. It was based upon a statistical sampling technique that was contained in the agency's budget to be implemented.

By the agency was going to assure sampling in States' enforcement programs, the states were in fact carrying out the law. That's what that reorganization was based on, Senator.

Now, as to my doorstep and those problems, Senator, when I came to that agency I found an agency that was totally disorganized in terms of its organization. It did not even have computerized files on violations. We found them in paper bags, in boxes, in basements. It took almost 2½ years to even identify all the violations that had been issued from 1977 to 1980.

It took us until—to even get those on a computer. So I understand your concerns, Senator. I had them also. And we tried our best to get a handle on those problems. They haven't gone away, and they're not going to go away tomorrow morning, but they will go away through diligent efforts. And that's my commitment, Senator; to move forward, to identify those problems that you and others have identified, and try to resolve them, in a consensus approach, working with all the affected groups, including the environmentalists and the States who the law says should have primary responsibility.

If I am confirmed, that is my commitment—to make the law work and to remove those management issues of the past.

Senator **METZENBAUM**. Well, you've been in for 4½ years. You've been a player. Now, it's an interesting thing. Earlier you said that you're going to be there to undo some of the problems created by the reorganization.

Mr. **GRILES**. I don't think I said that, Senator, but——

Senator **METZENBAUM**. Well, I don't mean to misquote you, but that was my understanding.

What did you say you were going to do about all the problems created by the reorganization?

Mr. **GRILES**. I don't think, Senator, that the problems that I have heard you speak of today, that is, the violations that were issued and the penalty collections are going to be ever resolved except simply by putting together the strongest management team that has computer knowledge, that has management experience, and make it work and get those done. And we're doing that. We've been doing that for the last year, Senator.

Senator **METZENBAUM**. Give me some evidence of some achievement. Four and a half years you've been in the ballgame. Four and a half years. You first were the Assistant Director for Inspection and Enforcement. You then were the Deputy Director, Office of Surface Mining. And then you are Deputy Assistant Secretary, Land and Minerals Management.

Now, you were really at a very high level, because you were an adviser to the Secretary in the Secretary's role as Chairman of the Cabinet Council on Natural Resources and the Environment. You could hardly have been in a more powerful position unless you had been the number one man.

And you keep saying, we're going to be doing it. And my question is, give me some evidence, that scintilla of evidence that I talked about a minute ago, that indicates that you, Mr. Griles, have done something affirmative. The record of enforcement is an abomination. The record of fines collected is an abomination; of permits revoked is a nothing.

The report to Justice Parker—I was trying to find this in the report that staff pointed out, the Parker Report where they talked about——

[Pause.]

Senator **METZENBAUM**. Tell me what you've done. Give me that scintilla of evidence I'm looking for that you've done something affirmative.

Mr. **GRILES**. Senator, I think that one of the concerns that I have had, and I think that many have had, is the way that the 2-acre exemption has been used in the past. In 1977, the 2-acre exemption was put into law by Congress. In 1978 when the original regulations were written, they recognized the 2-acre exemption.

Many, many operators in a number of States used that two-acre exemption. And it was abused. In 1981, we proposed regulations, Senator, that would eliminate that abuse, that went a long ways to assuring that only legitimate mom and pop, pick-and-shovel type operators could use that type of operation, because many large corporations were saying we'll mine here and we'll mine there.

Those regulations, Senator, were a direct result of efforts to prevent the abuse that was ongoing.

In 1984, when I did not, and was not directly involved in the Office of Surface Mining activities, I was approached by several environmental groups and by the industry to see if we could find a way to resolve this controversy. I interceded with the Secretary and said, Mr. Secretary, this 2-acre exemption needs to be resolved.

The Secretary agreed to a settlement. The litigation was ongoing. Also, you referred to the case, I think, the *Parker* case, the Parker Gasch Order, plus a 2-acre settlement that was entered into that's gone a long ways, Senator, to addressing problems that started in 1977 and we believe today are much more under control than they ever were.

But the 2-acre exemption is in law, and we're trying to assure that it's not abused. That's the best example that I can give you of my association with that kind of opportunity.

My commitment, Senator, is to try to find consensus with all groups in that program. It is a complicated program. It went through 15 years of legislative history, two vetoes, and there wasn't unanimity. There isn't today, but we need to find common ground to move forward, so that in 1987, Senator, when this law has its tenth anniversary, it will be one of success and not one of failure.

Senator **Metzenbaum**. Let me ask you, was there a lawsuit filed against the Department in connection with the 2-acre exemption?

Mr. **Griles**. As I recall the case, Senator, it was in 1980 that it was filed, and it was a case——

Senator **Metzenbaum**. I guess what I'm asking you, was that action a predicate which caused you to react and to do something about the enforcement of the 2-acre exemption law?

Mr. **Griles**. The predicate, Senator, was that I was asked to help resolve that issue. There was some litigation. It was an avenue to bring some final closure, in my opinion, to a long, controversial and complex issue.

And yes, we did choose to try to bring stability to that issue through settlement of some litigation.

Senator Metzenbaum: Let me read to you from an October 1985 Report on the Surface Mining Project, Public Lands and Energy Division of the National Wildlife Federation, a very recent report.

You indicate how well you've done on it. Page 30:

> The abuse of the two-acre exemption remains one of the major problems confronting OSM today. While the regulation governing abuse of this provision is sound, and if applied in the field would provide an effective deterrent, there is insufficient manpower at the State and Federal levels to enforce it properly. This is true especially because inspection of mine sites is labor-intensive, given the number and complexity of subterfuges employed by the operators.

Now, that's the 2-acre exemption matter that you talk about in responding to my question about some evidence.

Mr. **Griles**. Can I——

Senator **Metzenbaum**. Go ahead.

Mr. **Griles**. Let me just say, Senator, that the National Wildlife Federation report, I think, does make a good point. That is, that those regulations they talk about that will result and prevent that abuse were done, and I helped write those, and that is why they say that.

There are and were continuing concerns, and specifically in one or two States. And in that State, I sat down with the Governor myself last May and asked the Governor to please help us prevent continuing use and abuse of that 2-acre exemption. That was in the State of Kentucky.

We moved forward, and I believe today, my understanding and I asked——

Senator **Ford**. I'm getting some side comment up here, and I'll be glad to respond to the side comment.

Senator Metzenbaum. I didn't say anything until you said Kentucky, and all I said was, "Oh, Kentucky."

Senator **Ford**. Well, I got the comment before. So let me just say in his defense that this Administration didn't force the 2-acre permit on Kentucky. The previous administration did. Walter Heine came down to Kentucky, testified before our committee, and said we couldn't get primacy unless we had the 2-acre exemption in the law.

Today we have almost 2,000 2-acre exemptions in Kentucky. Now, it's not this fellow's fault that it happened. We didn't want it, as I understand it. When I say "we," the Kentucky legislature didn't. And I think that the Governor has attempted to increase the number of employees——

Mr. **Griles**. That's correct.

Senator **Ford** [continuing]. They have more inspectors, to meet a goal, so they can get out and comply with the law.

Now, I don't want to defend you completely as to all these things that Senator Metzenbaum is bringing up, but I do want to make it very, very clear that it was not this administration's fault. It was the Congress.

But nothing prevents the State, in my opinion, to have a more stringent law, more stringent regulations than we have in Federal law. And when we want to do that, the administration previously, the Director of OSM came to Kentucky, testified, and said we couldn't get primacy unless that was in Kentucky law, and Kentucky put it in the law.

Now we have the problem everybody's fussing about. So I wanted to make that point clear, how it got started.

Senator **Metzenbaum**. Appropos your effectiveness in positions you've held, I've looked over the Brooks report a little more. One part reads:

> In March 1983, the Department reported to Judge Parker that it had begun a system of notification to the States of unabated violation and would take prompt action to ensure that "the permit is denied or, if already issued, promptly revoked" whenever any State failed to take appropriate action. Yet, by April 1984, the Department reported that the States had denied only 25 permanent program permits. No permits had been revoked. This record is not surprising in light of the apparent difficulties the Department has had in developing a workable system to identify permits that should be denied or revoked.

Then at another point:

> The December 1982 Parker order required that the Department of the Interior pursue immediately and diligently all enforcement action, including injunctions, individual civil penalties, criminal actions, permit denials and the suspension and rev-

ocation of permits required to reduce and eliminate the backlog of pending cases. The order directed the defendants to allocate and commit sufficient personnel and resources to eliminate the backlog. However, the order was not adequately complied with. By mid-June 1984, the Office of Surface Mining had completed its review of only about 150 of the 1,700 cessation orders covered by the review.

How do you respond to this continuum of failure to adequately enforce the 2-acre limit until there's some pressure brought upon you; even then, the National Wildlife Federation saying it isn't working; the whole question of permits; the whole question of the violations? How do you explain all of this in 4½ years of leadership, and then come before us for a promotion?

Mr. **Griles**. Senator, I think you made a point about the date of the system, the working system. And as I stated to you when you asked one of your original questions, that is when I took that responsibility, I asked Mr. Cason to please take that job and design a system that would work, a complicated computerization to check permits that are issued by a State against corporate ownership, partnerships, and all kinds of other entities which are cross-ownerships and things of that nature.

I am happy to say, Senator, that we are in the process and we have done that. That whole program is underway. We've got a computer contract let. Design of it is occurring. And in the next year, we will have had that system in place. That system will result in assuring that anyone who is a violator of the Surface Mining Act, by the standards of that act, will not be allowed to get a permit to mine coal.

That's what the system is going to do. It is being designed today. My understanding of it is that it will be in place in the next 12 months. And that program will, I believe, go a long ways toward addressing some of these concerns.

Senator **Metzenbaum**. Mr. Griles, you tell us what's going to happen a year from now. You've been there 4½ years. One of the keys to effective enforcement is levying and collecting fines from violators.

According to the House report, there has been a virtual breakdown in the civil penalty collection system which will result in most of the $150 million to $200 million in civil penalties already owed for violation going uncollected. So as a result of your lax attitude, hundreds of operators have and will probably continue to violate the law with impunity, knowing that you will look the other way.

How much have you collected out of this $150 to $200 million in penalties?

Mr. **Griles**. Senator, I don't have that information.

Senator **Metzenbaum**. Isn't it about $7 million?

Mr. **Griles**. Senator, I don't have that information.

Senator **Metzenbaum**. Well, will you supply that information to the committee?

Mr. **Griles**. Yes, sir; I will.

Senator **Metzenbaum**. How many operators with permits have violated the law to your knowledge?

Mr. **Griles**. I don't know the number of violations that have been issued by the Surface—maybe I didn't hear your question.

Senator **Metzenbaum**. How many operators with permits have violated the law?

Mr. **Griles**. Senator, I don't know how many operators have been issued—are you asking me—an existing coal company, say in your State, that has been issued a violation by the State? I don't know how many violations have been issued.

Senator **Metzenbaum**. You have no record of that at all?

Mr. **Griles**. I don't. I would say that, based on the Surface Mining Act, and the things that could happen in a surface mine job, many—probably all operators at some point will find that they have some violation. A sign blew down when it was supposed to be standing up. That's a violation.

So I can't answer that question, Senator.

Senator **Metzenbaum**. Isn't there something in the law about your being permitted to issue the State pending notices when the States are not efficiently or effectively enforcing the law?

Mr. **Griles**. That's correct, Senator.

Senator **Metzenbaum**. How does that work?

Mr. **Griles**. The law, as I understand it, Senator, is that when a State has primary authority for enforcing the Act, like the State of Ohio, that if OSM in doing its oversight determines that in its opinion, that there is a violation at a surface mine that the State has not issued a notice for, OSM gives a notice to the State. It's called a Ten-Day Notice.

Senator **Metzenbaum**. Have you given any?

Mr. **Griles**. Yes, sir.

Senator **Metzenbaum**. What's happened as a consequence?

Mr. **Griles**. Many have resulted in violations being issued by the State after consultation with the OSM authority. Many have been found to be a misunderstanding on behalf of two inspectors as to what a violation was and what it wasn't. Some have resulted in disputes and some have resulted in resolution. The numbers I don't know, but a number of things could occur.

Senator **Metzenbaum**. Does the Office of Surface Mining have authority under the law to revoke permits, or can only the State do that?

Mr. **Griles**. In terms of a State permit that's been issued?

Senator **Metzenbaum**. Well, yes. Any permits to surface mining.

Mr. **Griles**. It's my understanding that the State has the authority to revoke its permit.

Senator **Metzenbaum**. Does the Federal Government have any authority at all to revoke the permit or to cause a permit to be revoked?

Mr. **Griles**. The OSM can move in such a manner that it can take—as I understand it, Senator—and I'm not a lawyer so I'll state this, and if I'm wrong, could I change it for the record for you? It's my understanding that OSM, under the regulations of 733, can take authority over a permit and probably result in that permit being—I don't know if revoked is the right term, but—shut down.

Senator **Metzenbaum**. I find myself somewhat nonplussed that you who have this responsibility and will be gaining even greater responsibility, if and when confirmed, are really not aware of whether you do or do not have authority to revoke permits.

It seems to me that's rather basic.

Mr. GRILES. Well, we do have the authority to revoke permits specifically in the States in which we've issued them.

Senator METZENBAUM. The States what?

Mr. GRILES. In which we have issued those permits.

Senator METZENBAUM. And how many States is that?

Mr. GRILES. That's in Washington State, I think in Georgia and in Tennessee, in which we have the primary authority.

Senator METZENBAUM. What about States where you don't have the primary authority?

Mr. GRILES. It's my understanding, Senator, as I stated earlier, that I believe OSM has that authority. It has to go through the due process of the State. OSM has to show that the State isn't taking a proper role. And isn't doing it correctly, to do that because when this law was passed, Senator, the law states the primary responsibility for enforcement, inspection, and issuing permits rests with the State.

Senator METZENBAUM. But the Federal Government has a monitoring right, and if they don't act, you have the right to come in and require it.

Mr. GRILES. Absolutely, Senator.

Senator METZENBAUM. My question is, how much of that activity have you been involved in?

Mr. GRILES. Well, when I was at OSM, Senator, we did take a number of actions of that nature. We put in process Senator Nickles' point about Oklahoma. It was after I left OSM that the actions in Tennessee were taken and OSM took over both the Tennessee Program and the Oklahoma Program.

So it has occurred.

Senator METZENBAUM. Let me read you something from a subsequent report on the Office of Surface Mining. Beyond reclamation?—and that has a question mark after it—12th report by the Committee on Government Ops of the House. They say:

> The committee's 1984 report demonstrated that the Department was bogged down in a time-consuming and, more important, ineffective effort to collect civil penalties owed by coal mine operators for violations of the law. Because the long, unwieldy and inefficient process of administrative and court proceedings had produced insignificant results, the committee concluded that Interior must focus its attention on the use of techniques for collecting penalties which are less time consuming and labor intensive than is the current practice of simply filing court cases.
>
> Convinced that withholding mining permits would be an effective response, the committee further concluded the Department should develop a fully workable system for denying permits to operations owned or controlled by operators who have violated the act and for revoking such permits. Since most States now are responsible for issuing and revoking operating permits, obviously development of such a system would require close coordination with the State.
>
> The committee recommended that OSM should implement an ongoing system of notification of the States regarding civil penalties owed, including penalties assessed by the States for purpose of permit denial; establish an ongoing real time system for identifying, matching and providing to States and Government entities who contract with coal producers information regarding coal operation who have violations and owe civil penalties; and include in the ongoing oversight of State program the review of State action with respect to denial, revocation and suspension of permits. Such review should not be limited to an annual review.

The punch line:

> Unfortunately, none of these recommendations has been satisfied.

Mr. Griles, I guess I could go on for a while longer, but I am prepared to say that I don't think you've convinced me of your dedication to this portion of this law, nor of your involvement in the effective enforcement of it to date. And I come back to where I was at the beginning; that is, that I have difficulty in understanding why a man who is obviously intelligent, assumed to be a man of character, would want to hold this position, when in 4½ years there has been such negative progress vis-a-vis effective work conformity with the law.

And I must say, I'm disappointed in your performance, and I think it's only fair to say I'm even more disappointed in the fact that the administration, the President has seen fit to nominate you for this position in view of your past failure to perform.

Thank you.

The **Chairman**. Thank you, Senator Metzenbaum.

Let me make just one brief statement at this point, because I don't think this started 4½ years ago. I think it started 7½ years ago.

Congress passed a bill that is very difficult to administer. I would hope that the administration might well focus on why it's difficult to administer, and if indeed it cannot be, then make recommendations to us as to changes in the statute that might be necessary or desirable to make it possible to administer.

Second, I think it should be stated on the record—and I wish you had volunteered this—perhaps you've been counseled not to volunteer more information than is necessary—the point that you alluded to but didn't elaborate upon, and that is that when you got there, the records of this Department were in cardboard boxes and paper bags in an unguarded room with open access by many. And they were in such shape that nobody could make any sense out of them.

I think that's a fair statement, is it not? I think that's come out at prior hearings and prior conversations. Am I correct in that?

Mr. **Griles**. You're absolutely right, Senator. The records of the agency were in total disarray. We had no way of finding out who had violated the law.

The **Chairman**. I don't say that in order to try to divert attention away from the difficulties or to indicate that the difficulties aren't there, nor even just to say that it isn't the fault of this Adminstration. I'm not saying that. I just want to get the picture complete that the Congress created a tough condition.

When you got there, you had an even tougher condition to confront because of the shape in which the records were then existing; that maybe 4½ years is long enough to get everything sorted out. Maybe it isn't. I think Senator Metzenbaum and others are raising questions about why, even though it was a bad act—a bad act in the sense that it created enforcement difficulties—I don't mean bad act in a broader sense than that—but some of the problems in enforcement arise out of the provisions of the Act and out of the conditions of the records that you found.

Why haven't we been able to straighten it out faster than we have? And I think there are many people asking those questions Would you care to comment?

Mr. GRILES. Senator, I think that your points are well made in the sense that we did find that those records were in a number of offices. They were in basements and attics, in cardboard boxes and a number of other conditions, and it took a lot of time to try to even bring them and centralize them in Washington.

We tried to take those records and computerize them. That effort has been ongoing, because until they are in a sense put into a computer with the numbers of companies and individuals involved, can you accomplish what Senator Metzenbaum, as I understand, would like to; and that is to assure that past violators of the Surface Mining Act don't continue to have the opportunity to mine coal until they correct their past abuses.

I think that the systems that OSM is implementing today will do that, and it's my commitment, if confirmed, to assure that they are implemented and that they will be put in place to do that.

The CHAIRMAN. Well, if the records are in that bad shape and if, as a matter of fact, you've had all this difficulty over this period of time, aren't you going to be confronted a year from now or 2 years from now or 3 years from now, with the charges that you've failed to collect the fines and penalties that should have been assessed and collected for past activities?

Mr. GRILES. Senator, I think that the $200 million that Senator Metzenbaum alluded to—and the figure could be less or more, Senator.

Senator METZENBAUM. $150 to $200 million.

Mr. GRILES. OK. That many of those fines were against operators in 1977, 1978, and 1979 at a time when the energy market for coal was extremely high. Those people do not mine coal today. They're out of business. They were small operators. They don't mine coal. We know they don't mine. There may be some, but this computer system will allow us to check those. Many of them went bankrupt. We know this. There are a number of records that have shown that, and in the courts actions have been taken to try to collect that money.

Much of that money—and the agency has stated this on the record at the House Operations Committee—is probably uncollectible, and so did the House Operations Committee report.

We will need to move forward, but in 2 to 3 years, I do not believe that we will be able to collect a lot of that money because those people are bankrupt and there is no liability or accountability to collect.

My commitment for the future is that this system will allow us to log and computerize gross abuses of the act so the States know it, OSM knows it, and they won't get a surface mining permit. And I think that's what we should shoot for, and it will bring and restore credibility to the future of the agency.

The CHAIRMAN. My concerns are obviously multiple, but one that seems to me not yet to have been addressed is whether or not you or anyone else is going to be able to make enough sense out of those records and reconstruct them well enough to be able to undertake enforcement activities to collect fines and penalties based upon past activities.

Now, do you believe you can do that?

Mr. GRILES. I know the agency is trying, Senator.

The **Chairman**. That wasn't my question, whether you're trying. My question is, do you believe you'll succeed? Are you in a position to tell us now you're going to be able to do that? Are you in a position to tell us now you don't know?

Mr. **Griles**. I'm in a position to tell you that I can't give you an affirmative answer.

The **Chairman**. You cannot give an affirmative answer?

Mr. **Griles**. I cannot, because they are still trying to catalog all those violations. That process in underway right now in the agency.

The **Chairman**. I also should state for the record that I think the Parker decision was issued in spring of 1983 if I'm correct.

Mr. **Griles**. I think that's correct.

The **Chairman**. If my memory is correct.

And following that, the Department did ask for additional personnel and some additional funding.

Mr. **Griles**. That's correct.

The **Chairman**. That Congress did not act upon that request until late in 1983, and that some additional funding was made available to the Department late in 1983, but actually you didn't get started really on spending that additional money until early in 1984.

Am I correct?

Mr. **Griles**. That's my understanding. Yes, sir.

Senator **Metzenbaum**. Mr. Chairman, I have just one more item.

The **Chairman**. Surely. Senator Metzenbaum.

Senator **Metzenbaum**. Mr. Griles, the counsel for the minority has advised me that the Secretary can suspend permits when the State—even when the State has primacy. And they only revoke in those areas where the Federal Government is running the program.

But it should be pointed out, if you have the authority to suspend, that's all the authority that you need, because there is no limit as to how long you can suspend. I guess it concerns me a bit that you yourself do not seem to be aware of this right to suspend. If you were aware of it, it has not been invoked.

Mr. **Griles**. Senator, when you asked that question, it suggests—and I have great respect for the minority counsel's opinions on this issue, so I assume that what he's saying is exactly right. And when you asked the opinion, could we revoke, and I said, Senator, I have concern about saying yes to that question, because I didn't think we had the authority to revoke permits unless we had issued them.

I think I did say to you, I think we can suspend them. I believe that's how my answer went.

Senator **Metzenbaum**. I don't think I heard that, but I certainly am not going to quibble about that.

Mr. **Griles**. But that's the reason, Senator. I really wanted to be accurate with you on the record.

The **Chairman**. Senator Wallop.

Senator **Metzenbaum**. Thank you very much.

Senator **Wallop**. Mr. Chairman—Senator Metzenbaum, before you leave, I would like you to hear what I'm about to say.

Senator **Metzenbaum**. I just have to talk to your colleague, Senator Evans. I'll come right back.

Senator **Wallop**. Very well. I'll say it anyway.

Mr. Chairman, I have a statement in support of Steve Griles' nomination which I wish to have inserted in the record.

The **Chairman**. That will be placed in the record in full at this point.

[The prepared statement of Senator Wallop follows:]

STATEMENT OF HON. MALCOLM WALLOP, A U.S. SENATOR FROM THE STATE OF WYOMING

Mr. Chairman, I am pleased to join other members of this committee in offering my complete support and confidence in the "official" nomination of Steve Griles to this position. In my opinion, Steve has already been the Assistant Secretary for some many months now, and this process is simply that—a process to officially erase the "acting" portion of this job title which has restricted, if not down right impeded his ability to get the job done.

Over these many months as Acting Assistant Secretary, Steve has played a critical role in re-shaping and shaping many of Interior's emerging policies in coal leasing, the Federal Oil and Gas Royalty Management Act Inspection Program, and the Federal Onshore Oil and Gas Leasing Program to name a few. In my dealings with Steve on these and other issues, I have always found him to be a straight-shooter and willing to discuss his options with members of this committee before reaching a final decision. I would encourage him to maintain this already established pattern, and to keep members of this committee as up to date as possible on emerging issues or possible problems. Finally, keep up the good work, and best of luck to you.

Senator **Wallop**. Mr. Chairman, increasingly, I find these hearings a rather degrading process, not devoted to the purpose of determining whether or not a nominee should be forwarded to the Senate, but devoted to ad hominum attacks, to character assassination, to sort of Ciceronian innuendo by "I don't mean to say that you're one of those who might be indicted, I don't mean to imply," and I think it is demeaning and unworthy of the Senate to do it this way.

Senator **Metzenbaum**. I want to say to my colleague——

Senator **Wallop**. Mr. Chairman, I have the floor.

Senator **Metzenbaum**. There was no personal attack upon this man.

The **Chairman**. Senator Wallop has the floor. You may respond.

Senator **Wallop**. You can respond at your will.

But when the questioner won't listen to the responses of the witness, for eagerness to get another mount from his ponyholder, it puts a——

Senator **Ford**. Explain that, would you? [Laughter.]

What is a ponyholder?

Senator **Wallop**. A ponyholder is the staff person who's forwarding to you another question before you hear the response to the question you just asked.

And I think it demeans the Senate. I take offense, perhaps more than I should, because Steve Griles is my friend, but I don't think it's a proper procedure. I have no quarrel—none—with the idea of examining the whole record, but I don't think an examination of the record ought to be accompanied by little statements like, why do you want this thing when you have been so incompetent?

That's not the purpose that we gather here for. We are gathered here to examine the record, to look at the future, to try to develop some responses that we may come back to revisit later because that's one of the opportunities that we have to come down to grips with policy decisions that may be pending.

And I just hope that somehow or another, this Senate seems willing to get back to the purpose involved, and that is to examine the record by all means, but not to examine it with a you this and you that. And maybe it might be, why would you, if you're so incompetent, want to have this job?

I just don't think that that's an appropriate way, Senator Metzenbaum, and I wanted to get that off my chest, because I don't think—I don't by any stretch of the imagination suggest that you should not examine the record, but there's two ways to do it, one of which is not personal. And I think for the Senate's reputation, that's a much better way.

Senator METZENBAUM. Mr. Chairman, may I respond?

The CHAIRMAN. Does the Senator yield? Senator Metzenbaum.

Senator METZENBAUM. I fully respect my colleague from Wyoming, and I respect his conducting himself in the manner that he deems appropriate. But I believe that the U.S. Senate has an absolute responsibility—it's not a casual responsibility. I think when you fail to ask him about his failure to act, if you think that is the case, then I think that you are remiss in your responsibilities.

I believe that every member of the U.S. Senate ought not to inquire as to his personal life—and that I have not done. I have not inquired about something he did 20 years ago. That I have not done. I have inquired of him with respect to that which I consider to be the issue, and that is based upon his record of 4½ years in this department, should he be promoted by this administration? And I believe, Senator, that if you don't get into that question—if I sat here on my butt and just voted yes or no, then I think that I shouldn't be in the U.S. Senate.

If anything, I believe the members of the U.S. Senate totally abrogate their responsibility on these advise and consent hearings. I take my constitutional obligation seriously.

You may not agree with my point of view, but that doesn't mean I'm going to change my conduct because you disagree. And I believe that to do anything less than to inquire of an individual concerning his past conduct and his professional responsibility would be a failure.

And so I am not going to change my method of operating or my conduct. And if there was any implication—any implication—of that, I suggest that any impropriety upon this nominee, by reason of talking about the administration indictment, I totally apologize for that, because I had no intention of doing that. I think that was clear to you, Mr. Griles. I did not mean to suggest that at all.

I would consider that to be totally off base. He has nothing to do with any other nominees, with any other people holding public office. But to inquire of him concerning his conduct or failure to act in his professional capacity, I believe that's appropriate, and I will continue to proceed accordingly in the future.

The CHAIRMAN. Senator Wallop.

Senator BUMPERS. Mr. Chairman, what is the status of the questioning?

The CHAIRMAN. We are rotating, and Senator Wallop——

Senator Bumpers. I take it we're not going to get to me before this vote. That's the reason I was asking.

Senator Wallop. I have two very short questions. I had an observation. I didn't expect Senator Metzenbaum to change the way he operates. I don't know anybody in the Senate who does.

Senator Metzenbaum. Who does change his method, or expects me to change?

Senator Wallop. It's the method I was complaining about, not the fact that you were examining the record.

Mr. Griles, the President's fiscal year 1986 budget contained a proposal to deduct the administrative costs of collecting onshore mineral leasing receipts prior to calculating State shares of royalty revenue.

The Senate has rejected this concept twice, both in the authorization process and in the appropriation process.

Do you support that proposal? And, if so, could you give us an idea of what costs should be deducted?

Mr. Griles. The President submitted to the Congress a budget that contained that provision, and I support the policy of the President in that regard, Senator.

In terms of the issue that you asked, I think that the proposal would have allowed for the deductions of collecting and disbursing those funds before the moneys are disbursed to the States and the States get their 50 percent. It would be after the cost of collecting and disbursing had been deducted. That was the proposal within the President's budget.

Senator Wallop. Well, I guess the reason that I asked was because the proposal went from $5 million to $100 million or something overnight, and we thought that even under less bureaucratic circumstances that was a rather dramatic increase in cost of collection. And I'm sure you can expect this committee to be a very close viewer of any attempt to apply cost deductions, and those that we do finally submit to, if we ever do, would be really very closely related just to the bookkeeping accounts.

Last question. You're aware that many of the members of this committee were actively involved in drafting the Federal Oil and Gas Royalty Management Act of 1982 and were also actively involved in urging the department to adhere to the original intent of that law, which was basically to ensure that all energy and mineral resources originating on public lands or in public resources were properly accounted for.

On March 22, the department officially suspended its rather controversial inspection and enforcement regulations and appointed a task force to review and revise them.

Would you give us a sort of update as to the status of that task force, its report, and when this committee might expect a review of its findings?

Mr. Griles. Senator, we did appoint a task force because when I found the nature of the rules and how it was being interpreted in the field, we realized that it didn't carry out the congressional intent and there were some major problems with it.

So we set up a task force and that task force has met a number of times with the affected parties, including the States, to try to see how to best implement it. They sat down with me on three or four different occasions and we've addressed major policy questions.

Those rules now, Senator, are on my desk as a proposed rule. As soon as this process is completed, I hope that we will be able to focus on that, review those, get them signed and get them into the Federal Register so that the public can then look at the proposed rules to be sure that we in fact are interpreting the intent that you had when you passed that law.

We look forward to having that opportunity to discuss with you and other members of the committee to be sure we aren't doing something that wasn't intended, but we are in fact assuring proper royalty collection and accountability, which I think is the primary purpose of that.

Senator **Wallop**. We look forward to it in your new capacity. Thank you.

Senator **Ford**. Mr. Chairman.

The **Chairman**. Senator Ford.

Senator **Ford** I passed earlier. But I'll have some questions in writing for the nominee about the loss of personnel, about the surface mining and the Assistant Secretary's role in that, the coal program which was testified before this committee in early November.

Those questions I'll submit in writing, Mr. Chairman, because I'll not be able to come back.

The **Chairman**. Senator Bumpers, do you want to return after this vote?

Senator **Bumpers**. No. With your permission, I will submit my questions to Steve in writing.

The **Chairman**. Very well.

I know of no other requests of members to appear personally and question the witness personally. All members should be advised to have their written questions in by close of business on today so that we may expedite the answers.

Mr. Griles, I hope that you'll be able to get those answers back as quickly as possible because as you know, we can't act further on the nomination until the members have had the opportunity to examine the responses to the questions.

Mr. **Griles**. I shall do that, Senator.

The **Chairman**. Thank you very much. I know of no further business to come before the committee at this time. We will adjourn.

[Whereupon, at 11:20 a.m., the hearing was adjourned.]

BLANK PAGE

APPENDIXES

APPENDIX I

Biographical and Informational Statements of the Nominees

RALPH W. TARR BIOGRAPHY

Mr. Tarr was born (September 29, 1948) and raised in Bakersfield, California. He attended Dartmouth College in Hanover, New Hampshire, where in 1970 he graduated magna cum laude, Phi Beta Kappa with an A.B. degree in Government.

Following graduation, he returned to California and served for nearly three years as a Staff Assistant to then Governor Ronald Reagan. He also received a Master's degree in Public Administration from California State University, Sacramento in 1973, and was elected to the Honor Society of Phi Kappa Phi.

In 1976, Mr. Tarr received a J.D. degree from the University of California, Hastings College of the Law in San Francisco, California, where he was a member of the Order of the Coif and the Thurston Society and served on the Editorial Review Board of the Hastings Law Journal. During 1976, Mr. Tarr served as an extern for the Honorable William P. Clark, Jr., Associate Justice of the California Supreme Court.

Thereafter, Mr. Tarr moved to Fresno, California where he served as law clerk to the Honorable George A. Brown, Presiding Justice of the California Court of Appeal, Fifth Appellate District. In 1977, he became an associate with the law firm of Baker, Manock & Jensen, a P.C., in Fresno. In 1981, he was elected a shareholder, director and vice president, as well as a member of the firm's Executive Committee. His emphasis was on business and personal injury litigation.

Mr. Tarr left the law firm to join the Reagan Administration in September 1982, serving as Principal Deputy Assistant Attorney General, Office of Legal Counsel, United States Department of Justice. On November 1, 1984, Mr. Tarr was designated by Attorney General William French Smith as Acting Assistant Attorney General in charge of that Office and continued in that capacity until November 13, 1985. He is currently Principal Deputy in that Office.

Mr. Tarr was married to the former Linda L. Kouyomjian in Bakersfield, California in 1972. They currently reside in Vienna, Virginia. Dr. Linda L. Tarr is a practicing clinical psychologist, and is currently Special Assistant to the Secretary for Special Projects, United States Department of Health and Human Services.

Mr. Tarr is a member of the California and District of Columbia Bars as well as the American Bar Association, Federal Bar Association, and the American Society for Public Administration.

UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: TARR (LAST) RALPH (FIRST) WILLIAM (OTHER)

Position to which nominated: Solicitor, Department of Interior **Date of nomination:** October 10, 1985

Date of birth: 29-09-48 (DAY) (MONTH) (YEAR) **Place of birth:** Bakersfield, California

Marital status: married **Full name of spouse:** Linda L. Tarr

Name and ages of children: None

Education:

Institution	Dates attended	Degrees received	Dates of degrees
Foothill High School	9/62-6/66	Diploma	6/66
Dartmouth College	9/66-6/70	A.B.	6/70
Calif. St. Univ., Sacramento	2/71-6/73	M.P.A.	6/73
Univ. of Calif., Hastings College of the Law	8/73-5/76	J.D.	5/76

Employment record: List below all positions held since college, including the title and description of job, name of employer, location, and dates.

6/70 - 8/70	Unemployed
8/70 - 11/70	Republican United Precinct Organization of Kern County, Bakersfield, California; Precinct Coordinator: organization, development, and management of a grass roots political organization countywide
11/70 - 1/71	Unemployed
1/71 - 8/73	Governor's Office, State of California, Sacramento, California; Travel Secretary and Advance Man: responsible for travel arrangements of Governor Ronald Reagan whenever he traveled, both within and outside the U.S., scheduling during his travels, and liaison with individuals and groups at each stop
8/73 - 5/74	Unemployed (school)

Employment record—Continued	5/74 - 1/76	Hassard, Bonnington, Rogers & Huber, San Francisco, California; law clerk
	1/76 - 5/76	State of California, Supreme Court, the Honorable William P. Clark, Associate Justice; extern
	6/76 - 9/76	Unemployed
	9/76 - 9/77	State of California, Court of Appeal, Fifth District, the Hon. George A. Brown, Presiding Justice, Fresno, California; Research attorney (continued)

Military service: Describe any military service not listed above, including dates, rank, and type of discharge.

None

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Daniel Webster National Scholarship, Magna Cum Laude, Phi Beta Kappa (Dartmouth); Phi Kappa Phi (Calif. St. Univ., Sacramento); Thurston Society, Order of the Coif (Univ. of Calif., Hastings College of the Law)

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations.

Organization	Dates	Office held (if any)
American Bar Association	1977-Present	None
American Trial Lawyers Assn.	1980-83	None
Calif. Trial Lawyers Assn.	1980-83	None
California Bar Association	1976-Present	Comm to confer with the Calif. Medical Ass 1980-82
California Assn. for the Phys. Handicapped	1980-81	None
District of Columbia Bar Assn.	1984-Present	None

(continued)

Published writings: List the titles, publishers and dates of any books, articles, or reports you have written.

"Protecting the Privacy of the Absent Patient: Rudnick v. Superior Court," 27 Hastings Law Journal 99 (1976)

Future employment relationships:

1. Will you sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate?

N/A - Employed by the Department of Justice since 1982

2. Do you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization?

No

3. Has a commitment for employment after you leave government been made to you by anyone? Have you made any such commitment?

No

4. (a) If you have been appointed for a fixed term, do you expect to serve the full term?

N/A

Future employment relationships—Continued

(b) If you have been appointed for an indefinite term, are there any known limitations on your willingness or ability to serve for the foreseeable future?

No

Financial statement:

1. Attach a copy of your Executive Personnel Financial Disclosure Report (SF 278).

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services and firm memberships or from former employers, clients, and customers. Amounts should be indicated by the categories established for reporting income on Form SF 278, Schedule A.

None

3. Are you currently a party to any legal action? If so, describe its nature and status.

No

4. Have you ever declared bankruptcy? If so, describe the circumstances.

No

5. Have you filed a Federal income tax return for each of the last 10 years? If not, please explain.

Yes

6. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

No

Potential conflicts of interest.

1. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

Diamond Shamrock Common Stock

2. Describe any business relationship, dealing or financial transaction (other than taxpaying) that you have had during the last 10 years with the Federal Government, whether for yourself or relatives, on behalf of a client, or acting as an agent, which might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

While employed at a private law firm several years ago I worked on various lawsuits involving the Department of Interior. To my knowledge only one of these cases is still pending.

3. Describe any lobbying activity which you have performed during the past 10 years with respect to legislative or administrative actions at the Federal, State or local level.

None

4. Have you been informed of the conflict of interest laws and regulations applicable to the position to which you have been nominated?

Yes

Potential conflicts of interest—Continued

5. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to this form and the attachments thereto. Attach a statement of the appropriate agency ethics official explaining the applicable laws or regulations, any potential conflicts, and the action required to resolve such conflicts.

Upon confirmation, I will divest Diamond Shamrock common stock interest. I have terminated completely the interests in the former law firm employee trusts shown on the attached SF 171. I intend to recuse myself from any case that I participated in while employed at the private law firm.

6. Explain how you will resolve any potential conflicts of interest that may arise in the future if you are confirmed for the position for which you have been nominated.

It is my intention to comply with all applicable conflict of interest laws and regulations and to seek and follow the Counsel of the Designated Agency Ethics Official at the Interior Department.

Public disclosure: Do you have any objections to this form and the attachments thereto being made public?

No

District of Columbia

AFFIDAVIT

I, Ralph W. Tarr) ss being duly sworn, hereby state that I have read the foregoing Statement for Completion by Presidential Nominees, including all attachments thereto, and that the information provided therein is, to the best of my knowledge and belief current, accurate, and complete.

Ralph W. Tarr
(Signature of Nominee)

Subscribed and sworn to before me this 6th day of November, 1985

Notary Public
My Commission Expires November 14, 1986

Form approved by the Committee February 5, 1985.

Page 2 Employment record - continued

9/77 - 8/82	Baker, Manock & Jensen, a P.C., Fresno, California; associate attorney (9/77-3/81), shareholder, director, vice president and member of the Executive Committee (4/81-8/82)
8/82 - Present	U.S. Department of Justice, Office of Legal Counsel, Washington, D.C.; Principal Deputy Assistant Attorney General (8/82-10/84); Acting Assistant Attorney General (11/84-Present)

Page 2 Memberships - continued

Fresno City and Co Chamber of Commerce	1981-82	None
Taxpayers Assn of Fresno County	1982-Present	None
Fresno County Bar Assn	1977-Present	None
Northern Calif. Assn of Defense Counsel	1980-83	None
Toastmasters	1981-82	None
Federal Bar Association	1982-Present	None
American Society for Public Administration	1982-Present	None
Federalist Society, Lawyers Division	1984-Present	None
Fresno Citizens Participation Neighborhood Council, Area 4; Fresno Urban Planning Committee	1979-81	Chmn, Planning and Zoning Comm
Dartmouth Alumni Association Northern California Washington	1970-Present	None
Dartmouth Lawyers Club	1984-Present	None
Hastings Alumni Association	1976-Present	None
Friends of the Kennedy Center	1982-Present	None
Smithsonian Resident Associates	1983-Present	None
Academy of Political Science	1983-85	None
Phi Beta Kappa	1970-Present	None
Phi Kappa Phi	1973-Present	None
Christian Legal Society	1974-Present	None
Reagan Deputy Assistant Secretaries	1984-Present	DOJ Rep
Baker, Manock & Jensen, a P.C. PAC	1981-82	Treasurer
Tri-Kap Alumni Association	1970-Present	None
Dartmouth Class of 1970	1970-Present	Executive Comm (1970-75)

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

OCT 17 1985

Mr. David H. Martin
Director, Office of Government Ethics
Office of Personnel Management
P.O. Box 14108
Washington, D.C. 20044

Dear Mr. Martin:

The enclosed financial disclosure report filed by Mr. Ralph W. Tarr for the position of Solicitor, U.S. Department of the Interior has been reviewed in compliance with 5 CFR §734.504(a). In addition to the standard conflict of interest prohibitions in 18 U.S.C. §§201-209, the Solicitor is also subject to several prohibitions that apply only to employees in our Department. These additional prohibitions are 18 U.S.C. §437; 30 U.S.C. §6; 30 U.S.C. §1211(f); 43 U.S.C. §11 and 43 U.S.C. §31(a). Except for 30 U.S.C. §1211(f), the provisions of each of these statutes is extended to the Solicitor by Department regulations in 43 CFR Part 20. The provisions of 30 U.S.C. §1211(f) apply directly to all Federal employees, including the Solicitor, U.S. Department of the Interior, who perform functions under the Surface Mining Control and Reclamation Act of 1977.

In addition to the information provided on the SF-278, my certification is based on the following analyses and planned resolutions:

1. Diamond Shamrock Company, one of this country's major coal producers, also leases approximately 563,000 acres of Federal land from the Interior Department for its oil and gas operations. Because of this, the Solicitor is prohibited by 30 U.S.C. §1211(f), 43 U.S.C. §11 and 43 U.S.C. §31(a) from having a financial interest in this company. Mr. Tarr has agreed to sell his stock in Diamond Shamrock Company upon his confirmation as Solicitor, U.S. Department of the Interior.

2. Under 18 U.S.C. §208, Mr. Tarr's continuing financial interest in the law firm of Baker, Manock and Jensen through a profit sharing trust and pension plan, would normally require a recusal statement. However, Mr. Tarr has made an official request to the trustee to sell his portion of the trusts investments and to terminate his interests in the trust and pension plan. This action will result in the elimination of any continuing financial interest in the firm and, in our opinion, a recusal statement is not necessary.

3. Mr. Tarr's Individual Retirement Accounts consist of bank certificates of deposit.

4. Kaman Corporation which manufactures aerospace and aviation products has no current business arrangements with the Department of the Interior.

5. Mr. Tarr's real estate interests do not involve any rights to federal lands and water service to the properties is not provided by the U.S. Bureau of Reclamation.

My review of the other items reported by Mr. Tarr reveals no problem with any applicable conflict of interest statutes or regulations. Please call me or my Deputy Gabe Paone if you have any further questions.

Sincerely,

(Sgd.) Gerald R. Riso

Gerald R. Riso
Principal Deputy Assistant Secretary
Policy, Budget and Administration
and Designated Agency Ethics Official

Enclosures

cc:
✓Mr. Tarr

BEST COPY AVAILABLE

United States of America
**Office of
Government Ethics**

Office of Personnel Management
Washington, D.C. 20415

OCT 18 1985

Honorable James A. McClure
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Ralph W. Tarr, who has been nominated by President Reagan for the position of Solicitor, Department of the Interior.

We have reviewed the report and have also obtained advice from the Department of the Interior concerning any possible conflict in light of the Department's functions and the nominee's proposed duties. Mr. Tarr has indicated that upon confirmation, he will have withdrawn his interest in the pension and profit sharing plans of the law firm in which he was formerly a partner, thus completely severing any relationship with the firm. He will also sell his stock in the Diamond Shamrock Corporation.

Based thereon, we believe that Mr. Tarr is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

David H. Martin
Director

Enclosure

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

December 2, 1985

The Honorable James A. McClure
Chairman, Committee on Energy and
Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Pursuant to Section 201(b) of the Ethics in Government Act of 1978, as amended, I hereby certify and report that the information required by Section 202(a)(1)(A) with respect to earned income and honoraria, as set forth in my Financial Disclosure Report (SF-278) dated August 22, 1985, is current as of December 2, 1985. I further certify that I have transmitted copies of this report to the Office of Government Ethics.

Ralph W. Tarr
Ralph W. Tarr

Washington)
) ss
District of Columbia)

Subscribed and sworn before me on this 2nd day of December, 1985.

Janice O. Price
Notary Public

My commission expires: Nov. 30, 1987

cc:
The Honorable J. Bennett Johnston

Financial Disclosure Report

Page 1

DEPARTMENT OF THE INTERIOR
RECEIVED
OCT 1 ? 1985
ETHICS OFFICE

	☒ New Entrant, Nominee, or Candidate	☐ Termination Filer	Agency Use Only	OGE Use Only OCT 17 1985	Date of Nomination (Mo., Day, Yr.) October 10, 1985
Reporting Individual's Name	Last Name TARR	First Name and Middle Initial RALPH W.			Termination Date (If Applicable) (Month, Day, Year)
Position for Which Filing	Title of Position SOLICITOR	Department or Agency (If Applicable) INTERIOR			
Location of Present Office	Address (Number, Street, City, State and ZIP Code) Office of Legal Counsel, Dept. of Justice 10th & Constitution Ave., N.W. Washington, D.C. 20530	Telephone No. (Include Area Code) (202) 633-2041			
Position(s) Held With the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held Acting Assistant Attorney General (11-84/Present) Principal Deputy Assistant Attorney General (9-82 thru 11-84)				
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination Senate Energy and Natural Resources	Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No			
Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.	Signature of Reporting Individual Ralph W. Tarr	Date (Month, Day, Year) 8/22/85			
Other Review (If desired by agency)	Signature of Other Reviewer	Date (Month, Day, Year)			
Agency Ethics Official's Opinion The information contained in this report discloses no conflict of interest under applicable laws and regulations	Signature of Designated Agency Ethics Official/Reviewing Official	Date (Month, Day, Year) 10/17/85			
Office of Government Ethics Use Only 10/1/85	Signature David H Martin	Date (Month, Day, Year) 10-10-85			

Reporting Periods

Incumbents: Complete Schedules A, B, C, and Part I of D. The reporting period is the preceding calendar year except for Part II of Schedule C and Part I of Schedule D where you must also include any positions held or agreements or arrangements made from the beginning of the filing year until the date you file.

Termination Filers: Complete Schedules A, B, C, and Part I of D. The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination.

Nominees, New Entrants and Candidates for President and Vice President: Complete Schedules A, C, and D. (Candidates do not file Part II of Schedule D.)

- **Schedule A**—The reporting period for Income (BLOCK C) and Transactions Test (BLOCK D) is the preceding calendar year and the current calendar year up to the date of filing. Value assets in BLOCK B as of any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part I** (Liabilities)—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part II** (Agreements and Arrangements)—Show any agreements or arrangements as of the date of filing.
- **Schedule D**—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Comments of Reviewing Officials *(If additional space is required, use the reverse side of this sheet)*

56

(Check box if comments are continued on the reverse side) ☐

U.S. Office of Personnel Management

Reporting Individual's Name		Page Number		Schedule
PARR, RALPH W.	**Assets and Income**		2	A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. **Exclude** your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the **actual amount** of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000? ▼

	BLOCK A Assets & Income Sources	**BLOCK B** Valuation of Assets							**BLOCK C** Income																	**BLOCK D** Transactions Test	
	Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐	Category of Value (X)							Type of Income (X)							Category of Amount of Income (X)										If yes, complete Schd. B Part I for those assets including those sold for a loss.	
		None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000	Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	YES	NO
S or DC	Examples: X Y Z Common				x				x									x								x	
	Doe Jones & Smith, Hometown, USA			x											ptnrshp income									$50,000			
1 S	U.S. Dept. of Health and Human Services														Salary												
2 S	Practicing Clinical Psychologist with Vienna Family Therapy		X												Fees												
3	Center																										
4	First American Bank of Virginia, checking account			X							X						X										
5	First American Bank, N.A. trust account for rental property	X									X					X											
6	Gibraltar Savings, Money market & savings accounts		X								X						X										
7	McLean Savings Money market account			X							X						X										
8	Providence Savings Savings account		X								X					X											
9	Washington Federal Savings trust account for rental		X								X						X										
10	property																										

PREVIOUS EDITION USABLE

278-209

NSN 7540-01-070-8018

BEST COPY AVAILABLE

U.S. Office of Personnel Management

Reporting Individual's Name		Page Number		Schedule
TARR, RALPH W.	**Assets and Income**	3		A

All Filers. In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. **Exclude** your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the **actual amount** of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

BLOCK A Assets & Income Sources			BLOCK B Valuation of Assets							BLOCK C Income																	BLOCK D Transactions Test	
Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐			Category of Value (X)							Type of Income (X)							Category of Amount of Income (X)								Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	If yes, complete Schd. B Part I for those assets including those sold for a loss.	
S or DC			None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000			YES	NO
	Examples	X Y Z Common				x				x									x								x	
		Doe Jones & Smith, Hometown, USA			x											ptnrshp income									$50,000			
	1	First American Bank, N.A. IRA certificate		X								X						X										
S	2	First Maryland Savings IRA certificate		X								X						X										
	3	Washington Federal Savings IRA certificate		X								X						X										
S	4	Washington Federal Savings IRA certificate		X								X						X										
	5	Diamond Shamrock Common		X						X								X										
	6	Kaman Corporation Common			X					X								X										
	7	Residential Unimproved Real Property W. Alluvial, Fresno, CA						X									X											
	8	Residential Improved Real Property 6538 N. Valentine, Fresno, CA						X			X											X						
	9	Residential Improved Real Property 1163 W. Athens, Fresno, CA				X					X										X							
	10																											

PREVIOUS EDITION USABLE

58

Reporting Individual's Name		Page Number	4	Schedule
TARR, RALPH W.	**Assets and Income**			A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses, and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the **actual amount** of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

	BLOCK A Assets & Income Sources	BLOCK B Valuation of Assets							BLOCK C Income																	BLOCK D Transactions Test	
	Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐	Category of Value (X)							Type of Income (X)						Other (Specify Type)	Category of Amount of Income (X)								Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	If yes, complete Schd. B Part I for those assets including those sold for a loss.	
S or DC		None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust		None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000			YES	NO
Examples	X Y Z Common				x				x									x								x	
	Doe Jones & Smith, Hometown, USA			x											ptnrshp income									$50,000			
1	Baker, Manock & Jensen, a P.C. Pension Trust - Fresno, CA		X								X						X										
2	During 1984 and to date in																										
3	1985 the entirety of the assets of the trust con-																										
4	sisted of deposits in the following institutions																										
5	Bank of Fresno																										
6	Crocker National Bank																										
7	Regency Bank																										
8	Guarantee Savings & Loan																										
9																											
10																											

The portion of the deposits in each of these institutions specifically attributable to me and the precise amount of interest derived from each credited to me is unknown to me. Line 1 reflects my own interest in the plan and the total interest from all sources credited to me.

59

BEST COPY AVAILABLE

U.S. Office of Personnel Management

Reporting Individual's Name			
TARR, RALPH W.	**Assets and Income**	Page Number 5	Schedule A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the **actual amount** of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

	BLOCK A Assets & Income Sources	BLOCK B Valuation of Assets							BLOCK C Income																	BLOCK D Transactions Test	
	Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐	Category of Value (X)							Type of Income (X)						Other (Specify Type)	Category of Amount of Income (X)								Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	If yes, complete Schd. B Part I for those assets including those sold for a loss.	
S or DC		None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust		None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000			YES	NO
Examples	X Y Z Common				x				x									x								x	
	Doe Jones & Smith, Hometown, USA			x											ptnrshp income									$50,000			
1	Baker, Manock & Jensen, a P.C. Profit Sharing Trust, Fresno, CA			X							X						X										
2																											
3	Trustee Directed investments consist of deposits in the following institutions																										
4	during 1984 and 1985																										
5	Guarantee Savings & Loan Continental Illinois Bank																										
6	Sears Liquid Asset Fund Citybank New York																										
7	Great American Federal Bank of Fresno																										
8	Self-directed investments consist of the following																										
9	Suave Shoe Company Common		X						X							X											
10																											

The portion of the total fund assets in each of the institutions attributable to me and the interest derived therefrom specifically attributable to me is unknown to me. Line 1 reflects my own interest in the plan and the total interest from all sources credited to me.

PREVIOUS EDITION USABLE

278-200

60

NSN 7540-01-070-8018

60

[illegible]
U.S. Office of Personnel Management

Form Approved
OMB No. 3206-0097

Reporting Individual's Name

TARR, RALPH W.

Page Number	6	Schedule B

Part I
Transactions

Incumbents and Termination Filers only: Report any purchase, sale or exchange by you, your spouse or dependent child during the reporting period of any real property, stocks, bonds, commodities futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction between you, your spouse or your dependent child.

NONE ☒

S DC		Identification of Assets	Type of Transaction (X)				Amount of Transaction (X)					
			Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000
	Example	X Y Z Common	X			2/1/83			X			
1												
2												
3												
4												
5												
6												

Part II
Gifts, Reimbursements and Travel Expenses

Incumbents and Termination Filers only:
Report the source, a brief description and the value of: (1) in-kind gifts of transportation, lodging, food or entertainment received from one source totaling $250 or more unless received as personal hospitality at the donor's personal or family residence; (2) other gifts received from one source totaling $100 or more in value; and (3) cash reimbursements of $250 or more received from one source. Exclude gifts and reimbursements received by your spouse that were given totally independent of their relationship to you. **Exclude** transportation, lodging, food and reimbursements from the U.S. Government. For (1) and (2), **exclude** gifts from relatives and **exclude** gifts of $35 or less when aggregating them for the total from one source. See instructions for further exclusions.

NONE ☒

S		Source (Name and Address)	Brief Description	Value
	Examples	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/83	$500
		Nat'l Assn. of Rock Collectors, NY, NY	Leather briefcase for retiring president	$125
1				
2				
3				
4				
5				
6				

PREVIOUS EDITION USABLE

278-106

61

of Personnel Management

Individual's Name
T[illegible], RALPH W.

Form Approved
OMB No. [illegible]

Page Number	7	Schedule C

Liabilities

All Filers: Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse or dependent child. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence unless it is rented out, loans secured by automobiles, household furniture or appliances, and liabilities owed to relatives. See instructions for revolving charge accounts.

NONE ☐

	Creditor (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (X)				
						$10,001 to $15,000	$15,001 to $50,000	$50,001 to $100,000	$100,001 to $250,000	Over $250,000
S or DC Examples	First District Bank, Washington, DC	Mortgage on rental property, Rehoboth Beach, Delaware	1981	13%	20 yrs			X		
	John Jones, 123 J St., Washington, DC	Promissory note	1979	10%	on demand	X				
1	Central Savings and Loan Association E. Shaw Avenue, Fresno, CA	First Mortgage on rental property 6538 N. Valentine, Fresno, CA	1976	5 1/4%	30yrs		X			
2	Central Savings and Loan Association E. Shaw Avenue, Fresno, CA	Second Mortgage on rental property 6538 N. Valentine, Fresno, CA	1979	12 3/4%	30yrs		X			
3	Guarantee Savings and Loan Association E. Shaw Avenue, Fresno, CA	First Mortgage on unimproved residential real property, W. Alluvial, Fresno,CA	1979	11 1/4%	20 yrs			X		
4	Valley Federal Savings and Loan Association W. Shaw Avenue, Fresno, CA	First Mortgage on rental property 1163 W. Athens, Fresno, CA	1977	8 1/2%	30yrs		X			
5										
6										

Part II
Agreements Or Arrangements

All Filers: Report your agreements or arrangements for future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

NONE ☐

Status and Terms of any Agreement or Arrangement	Parties	Date (Mo., Yr.)
Example: Pursuant to partnership agreement, will receive capital account & partnership share calculated on service performed through 11/83	Doe Jones & Smith, Home town, USA	7/78 ptnership agmnt.
Continuing Financial Interest in Profit Sharing Trust and Pension Plan Trust - all contributions were made prior to my leaving the firm in August, 1982 and no further contributions will be made.	Baker, Manock & Jensen, a P.C. Fresno, California	8/31/82

PREVIOUS EDITION USABLE

62

62

[illegible]
[illegible] Office of Personnel Management

Reporting Individual's Name

[illegible]R, RALPH W.

Page Number	8	Schedule D

-81-

Positions Held Outside U.S. Government

All Filers: Report any positions held during the applicable reporting period. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution.

Exclude positions with religious, social, fraternal, or political entities or those solely of an honorary nature.

NONE ☒

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/82	6/83
	Doe Jones & Smith, Hometown, USA	Law firm	Partner	7/79	11/83

Part II
Compensation In Excess Of $5000 Paid by One Source

Nominees and New Entrants only: Report sources of such compensation received by you or your business affiliation for services directly provided by you during the reporting period. This includes the names of clients and customers of any corporation, firm, partnership or other business enterprise, or any nonprofit organization, when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

NONE ☒

	Source (Name and Address)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, USA	Legal services
	Metro University (client of Doe Jones & Smith) Hometown, USA	Legal services in connection with university construction

PREVIOUS EDITION USABLE

278-108

63

BEST COPY AVAILABLE

BIOGRAPHY

J. STEVEN GRILES, ASSISTANT SECRETARY DESIGNATE
DEPARTMENT OF THE INTERIOR

1983 - Present: Mr. Griles was appointed Deputy Assistant Secretary by the Secretary of the Interior in May 1983 and has served as acting Assistant Secretary of Land and Minerals Management since December of 1984.

Mr. Griles has served as principal advisor and manager of the Outer Continental Shelf activities and the energy and mineral resource issues on public lands, including Alaska land issues of Bureau of Land Management. Directed the implementation of regulations to implement laws controlling the oil and gas inspection program for royalty collection and environmental protection; supervised the implementation and direction of land use planning, including the disposal of excess Federal lands. In addition to testifying before Congress, he keeps Congressional staff and members informed on Departmental issues, thereby promoting support of agency actions.

March 1981 - July 1983: Deputy Director, Office of Surface Mining, U.S. Department of the Interior.

Served as principal advisor to the Director of the Office of Surface Mining and assured proper implementation of the Surface Coal Mining and Reclamation Act which controls all coal mining. The purpose of the Act is to assure environmental protection and proper reclamation of lands disturbed by coal mining. Mr. Griles oversaw the revision of the regulations to remove inflexible design criteria and replaced them with enforceable performance standards. He also established working relationships with States and approved State programs so as to return primary enforcement of Act to the States.

January 1978 - March 1981: Executive Assistant, Conservation and Economic Department, State of Virginia.

Supervised the development and implementation of policy and program management for 14 major State programs. Those programs included surface mining reclamation, State parks, State forest, reforestation, travel promotion, topographic and geologic investigations, salt water sports fishing promotion, litter control, OCS development, forest fire supervision, and others.

June 1970 - January 1978: Programs Administrator/Staff Assistant, Virginia Department of Conservation and Economic Development.

Developed Departmental policy and coordinated legislative programs for various operating divisions. Provided advice to the Director of Department, including serving on the OCS and Port Development Task Force for Virginia. Served one year on a Legislative Committee for reorganizing major functions of State government, including an analysis and recommendation of the organizational structure for all mineral resource and environmental protection programs.

Education: Bachelor of Science Degree, University of Richmond, 1966-1970. Graduate work in business, Virginia Commonwealth University.

UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: GRILES (LAST) James (FIRST) Steven (OTHER)

Position to which nominated: Assistant Secretary--Land & Minerals Management, US Dept. of the Interior **Date of nomination:** 11/06/85

Date of birth: 13- (DAY) 12- (MONTH) 47 (YEAR) **Place of birth:** Clover, Virginia

Marital status: Married **Full name of spouse:** Mary Lynn Disque Griles

Name and ages of children Kimberly Neal Griles (16) Maegan Elizabeth Griles (1)

Timothy Steven Griles (13)

Matthew Disque Griles (6)

Education:

Institution	Dates attended	Degrees received	Dates of degrees
University of Richmond	June 1966-70	B.A.	June 1970
Virginia Commonwealth	Jan. 1975 - June 1975	None	

Employment record: **List below all positions held since college, including the title and description of job, name of employer, location, and dates.**

Deputy Assistant Secretary--Land and Minerals Management

September 1983 to Present

U.S. Department of the Interior, Washington, DC 20240

Duties: Direct responsibility for programs associated with land use planning, public land management, including onshore and offshore minerals management; development and management of effective fuel-related mineral data collection and analysis; operations management for minerals on the Outer Continental Shelf to the outer limits of the US economic jurisdiction; management of revenues from Federal Mineral leases; also serve as an advisor to the Secretary in the Secretary's role as Chairman of the Cabinet Council on Natural Resources and the Environment; oversee Secretarial direction and supervision of the Bureau of Land Management, the Minerals Management Service, and the Office of Surface Mining and Reclamation.

- Deputy Director, Office of Surface Mining
  US Department of the Interior, Washington, DC 20240
  June 1981 to September 1983

Duties: Principal advisor to the Director; managed the Surface Coal Mining and Reclamation Act that controls all coal mining to assure environmental protection and proper reclamation of lands disturbed. Revised regulations to remove inflexible design criteria and replaced with enforceable performance standards. Established working relationships with States and approved State programs so as to return primary enforcement of Act to the States; managed the agency on a day-to-day basis.

- Assistant Director—Inspection and Enforcement
  Office of Surface Mining
  US Department of the Interior, Washington, DC 20240
  March 1981 to June 1981

Duties: Principal advisor to the Director on managing the Surface Mining and Reclamation Act; developed overall administrative framework for revising inspection and enforcement regulations.

Executive Assistant
Department of Conservation and Economic Development
State of Virginia
Richmond, Virginia 23219
January 1978 to March 1981

Duties: Served as director for all administrative, financial, and personnel and policy responsibilities; developed goals and objectives for overall Department; resolved inter- and intra- agency disputes; liaison with General Assembly and handled all legislative matters at both State and Federal levels. Primarily responsible for developing Virginia's Surface Mining and Reclamation Program.

- Programs Administrator/Supervisor
  Department of Conservation and Economic Development
  State of Virginia
  Richmond, Virginia 23219
  July 1973 to January 1978

Duties: Developed Departmental policy on various programs; responded to and provided guidance to various operating divisions; served as legislative liaison.

- Staff Assistant/Program Manager
  Department of Conservation and Economic Development
  State of Virginia
  Richmond, Virginia 23219
  May 1971 to July 1973

Duties: Coordinated policy positions; served as liaison with various interest groups.

- Water Resources Technician
Department of Conservation and Economic Development
State of Virginia
Richmond, VA 23219
June 1969 to May 1971 (part-time)

Duties: Field analysis and program planning of water quantity resources in the State of Virginia.

Employment record—Continued

Also see Attachment 1 - Standard Form 171

Military service: Describe any military service not listed above, including dates, rank, and type of discharge.

Virginia National Guard, 1970-1978 E-7

Honorable Discharge

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Outstanding Recruit in Basic Training

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations.

Organization	Dates	Office held (if any)
Sigma Chi Fraternity	1966 - To Date	Vice President in College

Published writings: List the titles, publishers and dates of any books, articles, or reports you have written.

Article published in Government Executive - March 1983, entitled "Collecting Commercial Debts Through Private Sector Firms."

Future employment relationships:

1. Will you sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate?

Currently Deputy Assistant Secretary

2. Do you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization?

No

3. Has a commitment for employment after you leave government been made to you by anyone? Have you made any such commitment?

No

4. (a) If you have been appointed for a fixed term, do you expect to serve the full term?

N.A.

Future employment relationships—Continued

(b) If you have been appointed for an indefinite term, are there any known limitations on your willingness or ability to serve for the foreseeable future?

None

Financial statement:

1. Attach a copy of your Executive Personnel Financial Disclosure Report (SF 278).

See Attachment 2.

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services and firm memberships or from former employers, clients, and customers. Amounts should be indicated by the categories established for reporting income on Form SF 278, Schedule A.

None

3. Are you currently a party to any legal action? If so, describe its nature and status.

No

4. Have you ever declared bankruptcy? If so, describe the circumstances.

No

5. Have you filed a Federal income tax return for each of the last 10 years? If not, please explain.

Yes

6. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

No

Potential conflicts of interest:

1. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

None

2. Describe any business relationship, dealing or financial transaction (other than taxpaying) that you have had during the last 10 years with the Federal Government, whether for yourself or relatives, on behalf of a client, or acting as an agent, which might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

None

3. Describe any lobbying activity which you have performed during the past 10 years with respect to legislative or administrative actions at the Federal, State or local level.

See Attachment 3.

4. Have you been informed of the conflict of interest laws and regulations applicable to the position to which you have been nominated?

Yes

Potential conflicts of interest—Continued

5. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to this form and the attachments thereto. Attach a statement of the appropriate agency ethics official explaining the applicable laws or regulations, any potential conflicts, and the action required to resolve such conflicts.

`See Attachment 4.`

6. Explain how you will resolve any potential conflicts of interest that may arise in the future if you are confirmed for the position for which you have been nominated.

`See Attachment 4.`

Public disclosure: Do you have any objections to this form and the attachments thereto being made public?

No

AFFIDAVIT

I, J. Steven Griles ss being duly sworn, hereby state that I have read the foregoing Statement for Completion by Presidential Nominees, including all attachments thereto, and that the information provided therein is, to the best of my knowledge and belief, current, accurate, and complete.

J. Steven Griles
(Signature of Nominee)

Subscribed and sworn to before me this 19 day of November, 1985

Elizabeth J. Sherwood
Notary Public

My Commission Expires March 31, 1987

Form approved by the Committee February 5, 1985.

Personal Qualifications Statement

Read instructions before completing form

Attachment 1

Form Approved:
OMB No. 50-R0387

1 Kind of position (job) you are filing for (or title and number of announcement)
Assistant Secretary--Land & Minerals Mgmt.

2 Options for which you wish to be considered (if listed in the announcement)

3 Home phone — Area Code: 703 — Number: 476-0023

4 Work phone — Area Code: 202 — Number: 343-5676 — Extension:

5 Sex (for statistics only) ☒ Male ☐ Female

6 Other last names ever used: None

Name (Last, First, Middle): GRILES, J. Steven

Street address or RFD no. (include apartment no., if any): 11502 Purple Beech Drive

City: Reston, — State: VA — ZIP Code: 22091

8 Birthplace (City & State, or foreign country): Clover, Virginia

9 Birth date (Month, day, year): 12-13-47

10 Social Security Number: 224-66-9842

11 If you have ever been employed by the Federal Government as a civilian, give your highest grade, classification series, and job title
Deputy Assistant Secretary-Land & Minerals
Dates of service in highest grade (Month, day, and year)
From 9/83 To Present

12 If you currently have an application on file with the Office of Personnel Management for appointment to a Federal position, list: (a) the name of the area office maintaining your application; (b) the position for which you filed; and (if appropriate) (c) the date of your notice of rating, (d) your identification number, and (e) your rating

13 Lowest pay or grade you will accept
PAY: $ per — OR — GRADE: ES V

14 When will you be available for work? (Month and year): Immediately

DO NOT WRITE IN THIS BLOCK
FOR USE OF EXAMINING OFFICE ONLY

Material ☐ Submitted ☐ Returned — Entered register

Notations

Form reviewed
Form approved

ANNOUNCEMENT NO

STATEMENT NO

Option	Grade	Earned Rating	Preference	Aug Rating
			☐ 5 Points (Tent.)	
			☐ 10 Pts. 30% or More Comp. Dis.	
			☐ 10 Pts. Less Than 30% Comp. Dis.	
			☐ Other 10 Points	
			☐ Disallowed	
Initials and date			☐ Being Investigated	

THIS SPACE FOR USE OF APPOINTING OFFICER ONLY
Preference has been verified through proof that the separation was under honorable conditions, and other proof as required
☐ 5 Point ☐ 10 Points 30% or More Compensable Disability ☐ 10 Points Less Than 30% Compensable Disability ☐ 10 Point Other

Signature and title

Agency — Date

15 Are you available for temporary employment lasting (Acceptance or refusal of temporary employment will not affect your consideration for other appointments.)	YES	NO
A Less than 1 month?		X
B 1 to 4 months?		X
C 5 to 12 months?		X

16 Are you interested in being considered for employment by	YES	NO
A State and local government agencies?	N	A
B Congressional and other public offices?	N	A
C Public international organizations?	N	A

17 Where will you accept a job?	YES	NO
A In the Washington, D.C. Metropolitan area?	X	
B Outside the 50 United States?		X
C Anyplace in the United States?		X
D Only in (specify locality)		

18 Indicate your availability for overnight travel	
A Not available for overnight travel	☐
B 1 to 5 nights per month	X
C 6 to 10 nights per month	☐
D 11 or more nights per month	☐

19 Are you available for part-time positions (fewer than 40 hours per week) offering	YES	NO
A 20 or fewer hours per week?		X
B 21 to 31 hours per week?		X
C 32 to 39 hours per week?		X

20 Veteran Preference. Answer all parts. If a part does not apply to you, answer "NO"	YES	NO
A Have you ever served on active duty in the United States military service? *(Exclude tours of active duty for training in Reserves or National Guard)*		X
B Have you ever been discharged from the armed services under other than honorable conditions? *You may omit any such discharge changed to honorable or general by a Discharge Review Board or similar authority.* If "YES", give details in item 34		X
C Do you claim 5-point preference based on active duty in the armed forces? If "YES", you will be required to furnish records to support your claim at the time you are appointed		X
D Do you claim 10-point preference? If "YES", check the type of preference claimed and complete and attach Standard Form 15, "Claim for 10-Point Veteran Preference," together with the proof requested in that form		X

Type of Preference ☐ Compensable Disability 30% or More ☐ Compensable Disability Below 30% ☐ Non-compensable Disability ☐ Purple Heart Recipient ☐ Spouse ☐ Widow(er) ☐ Mother

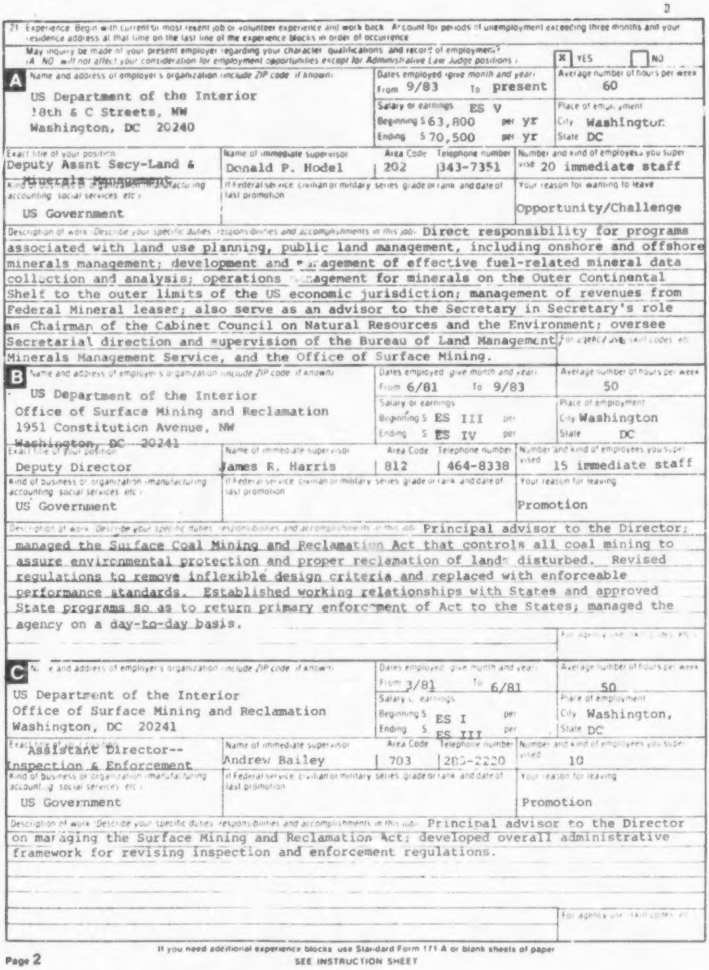
E List dates, branch, and serial number of all active service (enter "N/A" if not applicable)

From	To	Branch of Service	Serial or Service Number
8/70	8/78	Virginia Army National Guard	224-66-9842

THE FEDERAL GOVERNMENT IS AN EQUAL OPPORTUNITY EMPLOYER

Page 1 PREVIOUS EDITION USABLE 7540-00-935-7150 171-107

Standard Form 171 (Rev. 1-79)
Office of Personnel Management
FPM Chapter 295



2

21 Experience Begin with current or most recent job or volunteer experience and work back Account for periods of unemployment exceeding three months and your residence address at that time on the last line of the experience blocks in order of occurrence

May inquiry be made of your present employer regarding your character qualifications and record of employment? (A NO will not affect your consideration for employment opportunities except for Administrative Law Judge positions) ☒ YES ☐ NO

A

Name and address of employer's organization (include ZIP code if known):
US Department of the Interior
18th & C Streets, NW
Washington, DC 20240

Dates employed (give month and year): From 9/83 To present

Average number of hours per week: 60

Salary or earnings: ES V
Beginning $ 63,800 per yr
Ending $ 70,500 per yr

Place of employment: City Washington State DC

Exact title of your position: Deputy Assnt Secy-Land & Minerals Management

Name of immediate supervisor: Donald P. Hodel

Area Code: 202 Telephone number: 343-7351

Number and kind of employees you supervise: 20 immediate staff

Kind of business or organization (manufacturing, accounting, social services, etc.): US Government

If Federal service, civilian or military series, grade or rank, and date of last promotion:

Your reason for wanting to leave: Opportunity/Challenge

Description of work (Describe your specific duties, responsibilities and accomplishments in this job): Direct responsibility for programs associated with land use planning, public land management, including onshore and offshore minerals management; development and management of effective fuel-related mineral data collection and analysis; operations management for minerals on the Outer Continental Shelf to the outer limits of the US economic jurisdiction; management of revenues from Federal Mineral leases; also serve as an advisor to the Secretary in Secretary's role as Chairman of the Cabinet Council on Natural Resources and the Environment; oversee Secretarial direction and supervision of the Bureau of Land Management, Minerals Management Service, and the Office of Surface Mining.

For agency use (skill codes, etc.)

B

Name and address of employer's organization (include ZIP code if known):
US Department of the Interior
Office of Surface Mining and Reclamation
1951 Constitution Avenue, NW
Washington, DC 20241

Dates employed (give month and year): From 6/81 To 9/83

Average number of hours per week: 50

Salary or earnings:
Beginning $ ES III per
Ending $ ES IV per

Place of employment: City Washington State DC

Exact title of your position: Deputy Director

Name of immediate supervisor: James R. Harris

Area Code: 812 Telephone number: 464-8338

Number and kind of employees you supervised: 15 immediate staff

Kind of business or organization (manufacturing, accounting, social services, etc.): US Government

If Federal service, civilian or military series, grade or rank, and date of last promotion:

Your reason for leaving: Promotion

Description of work (Describe your specific duties, responsibilities and accomplishments in this job): Principal advisor to the Director; managed the Surface Coal Mining and Reclamation Act that controls all coal mining to assure environmental protection and proper reclamation of lands disturbed. Revised regulations to remove inflexible design criteria and replaced with enforceable performance standards. Established working relationships with States and approved State programs so as to return primary enforcement of Act to the States; managed the agency on a day-to-day basis.

For agency use (skill codes, etc.)

C

Name and address of employer's organization (include ZIP code if known):
US Department of the Interior
Office of Surface Mining and Reclamation
Washington, DC 20241

Dates employed (give month and year): From 3/81 To 6/81

Average number of hours per week: 50

Salary or earnings:
Beginning $ ES I per
Ending $ ES III per

Place of employment: City Washington, State DC

Exact title of your position: Assistant Director--Inspection & Enforcement

Name of immediate supervisor: Andrew Bailey

Area Code: 703 Telephone number: 285-2220

Number and kind of employees you supervised: 10

Kind of business or organization (manufacturing, accounting, social services, etc.): US Government

If Federal service, civilian or military series, grade or rank, and date of last promotion:

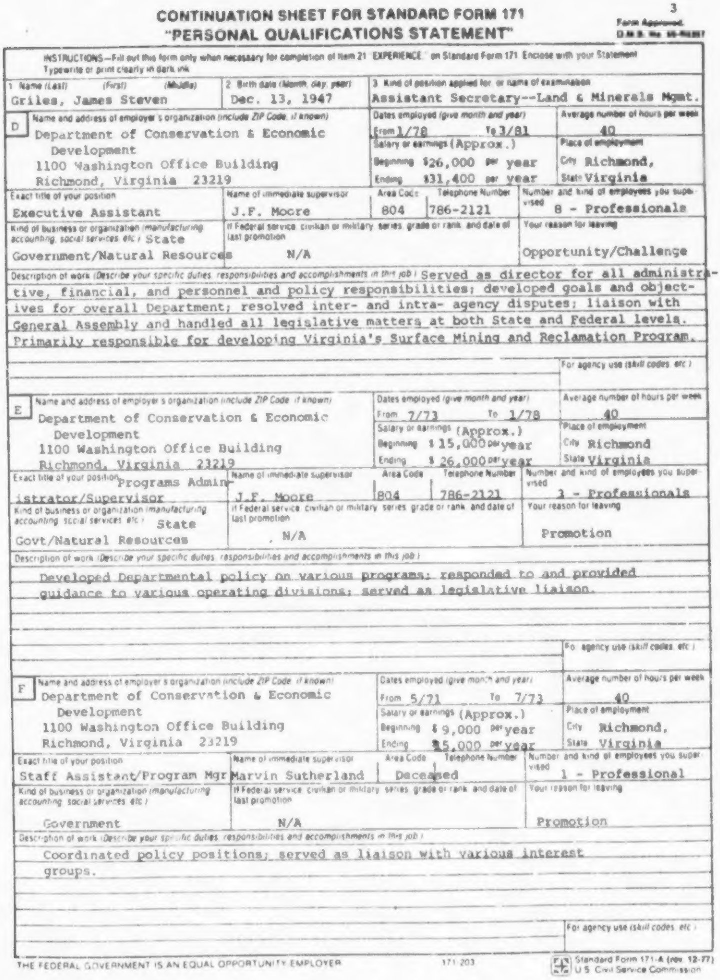
Your reason for leaving: Promotion

Description of work (Describe your specific duties, responsibilities and accomplishments in this job): Principal advisor to the Director on managing the Surface Mining and Reclamation Act; developed overall administrative framework for revising inspection and enforcement regulations.

For agency use (skill codes, etc.)

If you need additional experience blocks use Standard Form 171-A or blank sheets of paper
SEE INSTRUCTION SHEET

Page 2



3

CONTINUATION SHEET FOR STANDARD FORM 171
"PERSONAL QUALIFICATIONS STATEMENT"

Form Approved.
O.M.B. No. [illegible]

INSTRUCTIONS—Fill out this form only when necessary for completion of Item 21 "EXPERIENCE" on Standard Form 171. Enclose with your Statement. Typewrite or print clearly in dark ink.

1. Name (Last) (First) (Middle) Griles, James Steven	2. Birth date (Month, day, year) Dec. 13, 1947	3. Kind of position applied for, or name of examination Assistant Secretary--Land & Minerals Mgmt.

D

Name and address of employer's organization (include ZIP Code, if known) Department of Conservation & Economic Development 1100 Washington Office Building Richmond, Virginia 23219	Dates employed (give month and year) From 1/78 To 3/81 Salary or earnings (Approx.) Beginning $26,000 per year Ending $31,400 per year	Average number of hours per week 40 Place of employment City Richmond, State Virginia
Exact title of your position Executive Assistant	Name of immediate supervisor J.F. Moore Area Code 804 Telephone Number 786-2121	Number and kind of employees you supervised 8 - Professionals
Kind of business or organization (manufacturing, accounting, social services, etc.) State Government/Natural Resources	If Federal service, civilian or military: series, grade or rank, and date of last promotion N/A	Your reason for leaving Opportunity/Challenge

Description of work (Describe your specific duties, responsibilities and accomplishments in this job) Served as director for all administrative, financial, and personnel and policy responsibilities; developed goals and objectives for overall Department; resolved inter- and intra- agency disputes; liaison with General Assembly and handled all legislative matters at both State and Federal levels. Primarily responsible for developing Virginia's Surface Mining and Reclamation Program.

For agency use (skill codes, etc.)

E

Name and address of employer's organization (include ZIP Code, if known) Department of Conservation & Economic Development 1100 Washington Office Building Richmond, Virginia 23219	Dates employed (give month and year) From 7/73 To 1/78 Salary or earnings (Approx.) Beginning $15,000 per year Ending $26,000 per year	Average number of hours per week 40 Place of employment City Richmond State Virginia
Exact title of your position Programs Administrator/Supervisor	Name of immediate supervisor J.F. Moore Area Code 804 Telephone Number 786-2121	Number and kind of employees you supervised 3 - Professionals
Kind of business or organization (manufacturing, accounting, social services, etc.) State Govt/Natural Resources	If Federal service, civilian or military: series, grade or rank, and date of last promotion N/A	Your reason for leaving Promotion

Description of work (Describe your specific duties, responsibilities and accomplishments in this job)

Developed Departmental policy on various programs; responded to and provided guidance to various operating divisions; served as legislative liaison.

For agency use (skill codes, etc.)

F

Name and address of employer's organization (include ZIP Code, if known) Department of Conservation & Economic Development 1100 Washington Office Building Richmond, Virginia 23219	Dates employed (give month and year) From 5/71 To 7/73 Salary or earnings (Approx.) Beginning $9,000 per year Ending $15,000 per year	Average number of hours per week 40 Place of employment City Richmond, State Virginia
Exact title of your position Staff Assistant/Program Mgr	Name of immediate supervisor Marvin Sutherland Area Code / Telephone Number Deceased	Number and kind of employees you supervised 1 - Professional
Kind of business or organization (manufacturing, accounting, social services, etc.) Government	If Federal service, civilian or military: series, grade or rank, and date of last promotion N/A	Your reason for leaving Promotion

Description of work (Describe your specific duties, responsibilities and accomplishments in this job)

Coordinated policy positions; served as liaison with various interest groups.

For agency use (skill codes, etc.)

THE FEDERAL GOVERNMENT IS AN EQUAL OPPORTUNITY EMPLOYER 171-203

Standard Form 171-A (rev. 12-77)
U.S. Civil Service Commission

G Name and address of employer's organization (include ZIP Code, if known)
Department of Conservation and Economic
Development
1100 Washington Office Building
Richmond, Virginia 23219

Dates employed (give month and year) From 6/69 To 5/71
Average number of hours per week: Part-time
Salary or earnings (Approx.)
Beginning $1.50 per hour
Ending $8,600 per year
Place of employment
City Richmond,
State Virginia

Exact title of your position: Water Resources Technician
Name of immediate supervisor: Robert McCloskey
Area Code | Telephone Number: Unknown
Number and kind of employees you supervised: None

Kind of business or organization (manufacturing, accounting, social services, etc.): Government
If Federal service, civilian or military: series, grade or rank, and date of last promotion: N/A
Your reason for leaving: Promotion

Description of work (Describe your specific duties, responsibilities and accomplishments in this job.)
Field analysis and program planning of water quantity resources in the State of Virginia.

For agency use (skill codes, etc.)

☐ Name and address of employer's organization (include ZIP Code, if known)
Dates employed (give month and year) From To
Average number of hours per week
Salary or earnings
Beginning $ per
Ending $ per
Place of employment
City
State
Exact title of your position
Name of immediate supervisor
Area Code | Telephone Number
Number and kind of employees you supervised
Kind of business or organization (manufacturing, accounting, social services, etc.)
If Federal service, civilian or military: series, grade or rank, and date of last promotion
Your reason for leaving
Description of work (Describe your specific duties, responsibilities and accomplishments in this job.)

For agency use (skill codes, etc.)

☐ Name and address of employer's organization (include ZIP Code, if known)
Dates employed (give month and year) From To
Average number of hours per week
Salary or earnings
Beginning $ per
Ending $ per
Place of employment
City
State
Exact title of your position
Name of immediate supervisor
Area Code | Telephone Number
Number and kind of employees you supervised
Kind of business or organization (manufacturing, accounting, social services, etc.)
If Federal service, civilian or military: series, grade or rank, and date of last promotion
Your reason for leaving
Description of work (Describe your specific duties, responsibilities and accomplishments in this job.)

For agency use (skill codes, etc.)

Attach Supplemental Sheets or Forms Here

22 A Special qualifications and skills (skills with machines, patents or inventions, your most important publications (do not submit copies unless requested), your public speaking and publications experience, membership in professional or scientific societies, etc.)

Government Executive - March 1983 - "Collecting Commercial Debts Through Private Sector Firms."

B Kind of license or certificate (pilot, registered nurse, lawyer, radio operator, CPA, etc.)	C Latest license or certificate Year	State or other licensing authority	D Approximate number of words per minute Typing	Shorthand
N/A	N/A		N/A	N/A

23 A Did you graduate from high school or will you graduate within the next nine months, or do you have a GED high school equivalency certificate?

Yes	Month and Year	No	Highest grade completed
x	June 1966		

B Name and location (city and State) of latest high school attended

Halifax County High School
South Boston, Virginia

C Name and location (city, State, and ZIP Code, if known) of college or university (If you expect to graduate within nine months, give MONTH and YEAR you expect to receive your degree)	Dates Attended From	To	Years Completed Day	Night	No. of Credits Completed Semester Hours	Quarter Hours	Type of Degree (e.g. B.A.)	Year of Degree
University of Richmond, Richmond, VA	6/66	6/70	4		145		B.A.	1970
Virginia Commonwealth University	1/75	6/75	-		3		-	

D Chief undergraduate college subjects	No. of Credits Completed Semester Hours	Quarter Hours	E Chief graduate college subjects	No. of Credits Completed Semester Hours	Quarter Hours
Psychology	36		Management	3	
Economic	9				

F Major field of study at highest level of college work

G Other schools or training (for example, trade, vocational, Armed Forces, or business). Give for each the name and location (city, State and ZIP Code, if known) of school, dates attended, subjects studied, number of classroom hours of instruction per week, certificate, and any other pertinent data

N/A

24 Honors, awards, and fellowships received

N/A

25 Languages other than English. List the languages (other than English) in which you are proficient and indicate your level of proficiency by putting a check mark (✓) in the appropriate columns. Candidates for positions requiring conversational ability in a language other than English may be given an interview conducted solely in that language. Describe in item 34 how you gained your language skills and the amount of experience you have had (e.g., completed 72 hours of classroom training, spoke language at home for 18 years, self taught, etc.)

Name of Language(s)	PROFICIENCY Can Prepare and Deliver Lectures Fluently	With Difficulty	Can Converse Fluently	Passably	Have Facility to Translate Articles, Technical Materials, etc. Into English	From English	Can Read Articles, Technical Materials, etc. for Own Use Easily	With Difficulty
N/A								

26 References. List three persons who are NOT related to you and who have definite knowledge of your qualifications and fitness for the position for which you are applying. Do not repeat names of supervisors listed under Item 21, Experience.

Full Name	Present Business or Home Address (Number, Street, City, State and ZIP Code)	Telephone Number (include Area Code)	Business or Occupation
John L. Kilcullen, Esq.	1800 M St., NW - Suite 600N Washington, DC 20036	202-296-5700	Attorney
Al Honkala	13415 Woodbriar Ridge Midlothian, VA 23113	804-744-1703	Geologist
William P. Clark	1031 Pine Street Paso Robles, CA 93446	805-331-7760	Consultant

Answer items 27 through 33 by placing an "X" in the proper column	YES	NO
27 Are you a citizen of the United States? If "NO," give country of which you are a citizen	X	
NOTE A conviction or a firing does not necessarily mean you cannot be appointed. The circumstances of the occurrence(s) and how long ago it (they) occurred are important. Give all the facts so that a decision can be made.		
28 Within the last five years have you been fired from any job for any reason?		X
29 Within the last five years have you quit a job after being notified that you would be fired? If your answer to 28 or 29 above is "YES," give details in Item 34. Show the name and address (including ZIP Code) of employer, approximate date, and reasons in each case. This information should agree with your answers in Item 21, Experience.		X
30 A Have you **ever** been convicted, forfeited collateral, or are you now under charges for **any felony** or **any** firearms or explosives offense against the law? (A felony is defined as any offense punishable by imprisonment for a term exceeding one year, but does not include any offense classified under the laws of a State as a misdemeanor which is punishable by a term of imprisonment of two years or less.)		X
B During the past seven years have you been convicted, imprisoned, on probation or parole, or forfeited collateral, or are you now under charges for any offense against the law not included in A above?		X
NOTE When answering A and B above, you may omit: (1) traffic fines for which you paid a fine of $50.00 or less; (2) any offense committed before your 18th birthday which was finally adjudicated in a juvenile court or under a youth offender law; (3) any conviction the record of which has been expunged under Federal or State law; and (4) any conviction set aside under the Federal Youth Corrections Act or similar State authority.		
31 While in the military service were you ever convicted by a general court martial? If your answer to 30A, 30B, or 31 is "YES," give details in Item 34. Show for each offense: (1) date; (2) charge; (3) place; (4) court; and (5) action taken.		X
32 Does the United States Government employ in a civilian capacity or as a member of the Armed Forces any relative of yours (by birth or marriage)? (See Item 32 in the attached instruction sheet.) If your answer to 32 is "YES," give in Item 34 for such relatives: (1) name; (2) present address (including ZIP Code); (3) relationship; (4) department, agency, or branch of the armed forces.	X	
33 Do you receive, or do you have pending, application for retirement or retainer pay, pension, or other compensation based upon military, Federal civilian, or District of Columbia Government service? If your answer to 33 is "YES," give details in Item 34. If military retired pay, include the rank at which you retired.		X

Your Statement cannot be processed until you have answered all questions, including items 27 through 33 above.
Be sure you have placed an "X" to the left of EVERY marker (◀) above, either in the "YES" or "NO" column.

34. Item No.	Space for detailed answers. Indicate item numbers to which the answers apply.
32	Mary L. Griles (Casey) 11502 Purple Beech Drive Reston, VA 22091 Wife - U.S. Geological Survey

If more space is required, use full sheets of paper approximately the same size as this page. Write on each sheet your name, birth date, and announcement or position title. Attach all sheets to this Statement at the top of page 3.

ATTENTION—THIS STATEMENT MUST BE SIGNED

Read the following paragraphs carefully before signing this Statement

A false answer to any question in this Statement may be grounds for not employing you, or for dismissing you after you begin work, and may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001). All the information you give will be considered in reviewing your Statement.

AUTHORITY FOR RELEASE OF INFORMATION

I have completed this Statement with the knowledge and understanding that any or all items contained herein may be subject to investigation prescribed by law or Presidential directive and I consent to the release of information concerning my capacity and fitness by employers, educational institutions, law enforcement agencies, and other individuals and agencies, to duly accredited investigators, Personnel Staffing Specialists, and other authorized employees of the Federal Government for that purpose.

CERTIFICATION	SIGNATURE (sign in ink)	DATE
I certify that all of the statements made by me are true, complete and correct to the best of my knowledge and belief, and are made in good faith.		

BEST COPY AVAILABLE

SF 278
U.S. Office of Personnel Management

Financial Disclosure Report

RECEIVED
NOV 6 1985
ETHICS OFFICE

Page 1

Reporting Status (Check Appropriate Box)	☐ Incumbent	☒ New Entrant, Nominee, or Candidate ☐ Termination Filer
OGE Use Only		
Date of Appointment, Candidacy, Nomination (Mo., Day, Yr.)	November 6, 1985	
Termination Date (If Applicable) (Month, Day, Year)		

Reporting Individual's Name	Last Name GRILES	First Name and Middle Initial J. STEVEN
Position for Which Filing	Title of Position Assistant Secretary--Land and Minerals Management	Department or Agency (If Applicable) U.S. Department of the Interior
Location of Present Office	Address (Number, Street, City, State and ZIP Code) 18th & C Streets, N.W. Washington, D.C. 20240	Telephone No. (Include Area Code) (202) 343-5676
Position(s) Held With the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held Deputy Assistant Secretary--Land and Minerals Management U.S. Department of the Interior	
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination Committee on Energy and Natural Resources	Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No
Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.	Signature of Reporting Individual J Steven Griles	Date (Month, Day, Year) November 6, 1985
Other Review (If desired by agency)	Signature of Other Reviewer	Date (Month, Day, Year)
Agency Ethics Official's Opinion The information contained in this report discloses no conflict of interest under applicable laws and regulations	Signature of Designated Agency Ethics Official/Reviewing Official	Date (Month, Day, Year)
Office of Government Ethics Use Only	Signature	Date (Month, Day, Year)

Reporting Periods

Incumbents: Complete Schedules A, B, C, and Part I of D. The reporting period is the preceding calendar year except for Part II of Schedule C and Part I of Schedule D where you must also include any positions held or agreements or arrangements made from the beginning of the filing year until the date you file.

Termination Filers: Complete Schedules A, B, C, and Part I of D. The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination.

Nominees, New Entrants and Candidates for President and Vice President: Complete Schedules A, C, and D. (Candidates do not file Part II of Schedule D.)

- **Schedule A**—The reporting period for Income (BLOCK C) and Transactions Test (BLOCK D) is the preceding calendar year and the current calendar year up to the date of filing. Value assets in BLOCK B as of any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part I (Liabilities)**—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part II (Agreements and Arrangements)**—Show any agreements or arrangements as of the date of filing.
- **Schedule D**—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

This report covers the period January 1, 1984 through November 6, 1985.

(Check box if comments are continued on the reverse side) ☐

PREVIOUS EDITION USABLE

278-108

79

Attachment 2

SF 278 (Rev. 1/85)
FPM Chapter 734
U.S. Office of Personnel Management

Form Approved
OMB No. 3209-0001

Reporting Individual's Name		Page Number	Schedule
J. Steven Griles	**Assets and Income**	2	A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the actual amount of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

BLOCK A Assets & Income Sources			BLOCK B Valuation of Assets: Category of Value (X)							BLOCK C Income: Type of Income (X)							Category of Amount of Income (X)										BLOCK D Transactions Test: If yes, complete Sched. B Part I for these assets (including those sold for a loss)	
	S or DC	Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐	None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000	Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	YES	NO
Examples		X Y Z Common				X				X									X								X	
		Doe Jones & Smith, Hometown, USA			X											Partnership Income									[illegible]			
1	S	Cardinal Savings and Loan		X						X							X											
2	S	U.S. Geological Survey														Salary												
3	S	U.S. Dept. of Interior Credit Union		X								X						X										
4		U.S. Dept. of Interior Credit Union		X								X						X										
5		Dept. of Interior Cr. Union IRA*		X								X						X										
6		E.F. Hutton (Mutual Fund)		X						X								X										
7		Central Life Assurance			X												X											
8		E.F. Hutton - IRA		X								X						X										
9																												
10																												

*In August 1985, this IRA was terminated and the assets were transferred to the E.F. Hutton - IRA shown on line 8.

PREVIOUS EDITION USABLE

80

SF 278 (Rev. 1/86)
FPM Chapter 734
U.S. Office of Personnel Management

Form Approved
OMB No. 3209-0001

Reporting Individual's Name		Page Number	Schedule
J. Steven Griles	**Assets and Income**	3	A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the actual amount of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

BLOCK A Assets & Income Sources			BLOCK B Valuation of Assets							BLOCK C Income																	BLOCK D Transactions Test	
Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐			Category of Value (X)							Type of Income (X)							Category of Amount of Income (X)										If yes, complete Schd. B Part I for these assets (excluding those sold for a loss)	
			None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000	Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	YES	NO
S or DC	Example	X Y Z Common				X				X									X								X	
		Doe Jones & Smith, Hometown, USA			X											Partnership Income									$60,000			
1	S	E.F. Hutton - IRA		X								X						X										
2		Multi-State Tax Exempt Trust-Virginia Series			X							X						X										
3																												
4																												
5																												
6																												
7																												
8																												
9																												
10																												

PREVIOUS EDITION USABLE

278-209

BEST COPY AVAILABLE

81

81

SF 278 (Rev. 1/89)
5 CFR Chapter XVI
U.S. Office of Personnel Management

Form Approved
OMB No. 3209-0001

Reporting Individual's Name
J. Steven Griles

Page Number	4	Schedule B

Part I
Transactions

Incumbents and Termination Filers only: Report any purchase, sale or exchange by you, your spouse or dependent child during the reporting period of any real property, stocks, bonds, commodities futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction between you, your spouse or your dependent child.

NONE ☐

S or DC		Identification of Assets	Type of Transaction (x) Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (x) $1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000
	Example	X Y Z Common	x			2/1/89			x			
1		NOT APPLICABLE										
2												
3												
4												
5												
6												

Part II
Gifts, Reimbursements and Travel Expenses

Incumbents and Termination Filers only: Report the source, a brief description and the value of: (1) in-kind gifts of transportation, lodging, food or entertainment received from one source totaling $250 or more unless received as personal hospitality at the donor's personal or family residence; (2) other gifts received from one source totaling $100 or more in value; and (3) cash reimbursements of $250 or more received from one source. Exclude gifts and reimbursements received by your spouse that were given totally independent of their relationship to you. Exclude transportation, lodging, food and reimbursements from the U.S. Government. For (1) and (2), exclude gifts from relatives and exclude gifts of $35 or less when aggregating them for the total from one source. See instructions for further exclusions.

NONE ☐

S		Source (Name and Address)	Brief Description	Value
	Example	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/89	$500
		Nat'l Assn. of Rock Collectors, NY, NY	Leather briefcase (personal friend)	$130
1		NOT APPLICABLE		
2				
3				
4				
5				
6				

PREVIOUS EDITION USABLE

82